

SENATE FILE NO. \_\_\_\_\_

State-federal partnership schools.

Sponsored by: SDRAFT

A BILL

for

1 AN ACT relating to public schools; authorizing partnership  
2 agreements between the state and federal government for  
3 school districts providing educational programs and  
4 services to school age children; incorporating such  
5 districts into the state school system subject to  
6 conditions and exclusions; imposing duties on the state  
7 superintendent; prescribing duties and granting authority  
8 to partnership districts; establishing district governance  
9 through a board of trustees; prohibiting local taxation;  
10 subjecting partnership districts to uniform state  
11 educational program requirements and to student  
12 performance, accountability and high school graduation  
13 requirements; including districts in the state system of  
14 school finance and building maintenance; excluding  
15 partnership district buildings from state programs and  
16 oversight; conforming statutory provisions accordingly; and  
17 providing for an effective date.

1

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

3

4 **Section 1.** W.S. 21-3-601 through 21-3-612 are created  
5 to read:

6

7

ARTICLE 6

8

STATE-FEDERAL PARTNERSHIP SCHOOLS

9

10 **21-3-601. State-federal partnership school districts;**  
11 **creation; attendance areas.**

12

13 (a) Any kindergarten through grade twelve (12)  
14 education program provided through partnership agreements  
15 entered into between the state and federal government shall  
16 for purposes of this title and as limited in this article,  
17 be considered a state-federal partnership school district.  
18 The state superintendent of public instruction, in  
19 consultation with the state board of education, may enter  
20 into partnership agreements with the federal government on  
21 behalf of the state to provide education programs to school  
22 age children which provide programs and services not  
23 otherwise provided by the state system of public schools.

24

1           (b) A partnership district created under this section  
2 shall physically consist only of the land on which is  
3 situated those buildings and facilities in which the  
4 partnership district educational programs and services are  
5 provided. Its boundaries shall be established from the  
6 territory of preexisting school districts and the  
7 partnership district shall enter into agreements with any  
8 Wyoming school district whose boundaries encompass the land  
9 on which the partnership district buildings and facilities  
10 are situated to transfer the property pursuant to W.S.  
11 21-6-217(b).

12

13           (c) The educational programs and services shall be  
14 available to students from areas throughout the state which  
15 are enrolled in the partnership district programs through  
16 agreement with the school districts in which the enrolled  
17 student resides. Agreements shall be in accordance with  
18 W.S. 21-4-502 and the partnership district shall include  
19 the enrolled student within its average daily membership  
20 (ADM) for purposes of foundation program computations under  
21 W.S. 21-13-309 to the extent authorized by this article.

22

23           **21-3-602. Partnership school district board of**  
24 **trustees; generally.**

1

2           (a) A state-federal partnership school district  
3 established under this article shall be governed by a board  
4 of trustees comprised of members specified in the  
5 partnership agreement and shall be elected by Wyoming  
6 electors representing citizens of the state affected by the  
7 educational programs provided through the agreement. The  
8 number of board members, membership terms, election  
9 residence area requirements and provision for initial terms  
10 shall be as provided within the agreement.

11

12           (b) A majority of the partnership district board  
13 membership shall constitute a quorum. A vacancy occurring  
14 on the board shall be filled within thirty (30) days by  
15 action of the remaining board members, with the selected  
16 replacement to serve until the next board election.

17

18           (c) Board members shall serve without compensation  
19 but shall receive travel and per diem expenses in the same  
20 manner and amount as provided by law for state employees.

21

22           (d) The board shall annually elect a chairman and  
23 vice-chairman from among its membership.

24

1           (e) The partnership board shall meet at least once  
2 each month and more frequently as necessary and upon the  
3 call of the chairman or a majority of board members.

4

5           (f) Any board member who willfully fails, refuses or  
6 neglects to perform duties imposed by law is subject to  
7 W.S. 21-3-124.

8

9           **21-3-603. Application of Uniform Municipal Fiscal**  
10 **Procedures Act.**

11

12 The Uniform Municipal Fiscal Procedures Act applies to each  
13 state-federal partnership school district established under  
14 this article.

15

16           **21-3-604. Duties of partnership district boards of**  
17 **trustees.**

18

19           (a) The board of trustees for each state-federal  
20 partnership school district established under this article  
21 shall:

22

23           (i) Prescribe and enforce rules, regulations and  
24 policies for its own government and for the government of

1 the educational programs and services under its  
2 jurisdiction. Rules and regulations shall be consistent  
3 with the laws of the state and rules and regulations of the  
4 state board and the state superintendent and shall be open  
5 to public inspection;

6

7 (ii) Keep minutes of all meetings at which  
8 official action is taken and a record of all official acts  
9 including a record of all warrants issued against the  
10 monies belonging to the partnership school district. The  
11 minutes and records shall be public records. A list of  
12 each warrant over five hundred dollars (\$500.00) shall be  
13 published one (1) time in a newspaper of general  
14 circulation within the county in which the partnership  
15 district is located within thirty (30) days of the date of  
16 the meeting. Individual yearly gross salary payments need  
17 be published only once in March of each year in categories  
18 similar to those specified under W.S. 21-3-110(a)(ii);

19

20 (iii) Elect from its membership at the first  
21 regular meeting after December 1 of each year a chairman, a  
22 vice-chairman, a clerk and a treasurer;

23

24 (iv) Fix the time and place of regular meetings;

1

2           (v) Submit reports concerning finances or any  
3 other matter as the state board, state superintendent or  
4 state law requires;

5

6           (vi) Control and disburse all monies received  
7 from any source to maintain the schools within the  
8 district;

9

10           (vii) Obtain competitive bids when any purchase  
11 of insurance, supplies or materials other than textbooks  
12 costing more than ten thousand dollars (\$10,000.00) and  
13 less than twenty-five thousand dollars (\$25,000.00) is  
14 contemplated unless precluded by other regulation or  
15 statute. If the amount exceeds twenty-five thousand dollars  
16 (\$25,000.00), a call for bids shall be published at least  
17 once in a newspaper of general circulation in the county in  
18 which the partnership district is located. The district  
19 shall reserve the right to reject any and all bids and to  
20 waive irregularities and informalities in the bidding. No  
21 contract shall be divided for the purpose of avoiding this  
22 paragraph. Items for which bids are required to be obtained  
23 may be described in the published call for bids by stating  
24 general requirements and making detailed specifications

1 available to prospective bidders at the district's  
2 administrative headquarters;

3

4 (viii) Require the treasurer of the board and  
5 the district superintendent to give such bond in such  
6 penalty and with such sureties as the board may direct,  
7 conditioned upon the faithful application of all monies and  
8 property which may come into his hands by virtue of his  
9 office. The bond shall not exceed one and one-fourth  
10 (1 1/4) of the amount of all school monies handled by such  
11 officer in any one (1) year. Such bonds after being  
12 approved by the board and by an attorney selected by the  
13 board as to form and execution shall be filed with the  
14 county treasurer and no disbursements shall be made until  
15 such bonds shall have been approved and filed as required  
16 by this section. In case of breach of conditions of such  
17 bonds, suit shall be brought thereon by the board for the  
18 benefit of the district;

19

20 (ix) Cause the United States and Wyoming flags  
21 to be properly displayed in, upon or around school  
22 buildings within the district;

23



1           (x) Consider every petition presented to the  
2 board and subscribed by at least five (5) citizens of the  
3 state and take some action on the petition within thirty  
4 (30) days after it is received. No action is required if  
5 the precise question presented by the petition has been  
6 considered and acted upon by the board at any meeting held  
7 within the current fiscal year;

8

9           (xi) Operate the partnership district on a  
10 fiscal year beginning July 1 and ending the following June  
11 30;

12

13           (xii) Require an accounting of all receipts and  
14 expenditures to be made by each organization, function or  
15 other group sponsored by or functioning in any way within  
16 the buildings and facilities of and the programs and  
17 services offered by the partnership district, to be made by  
18 each such organization, function or group at least once  
19 each year and a copy posted in each building connected with  
20 such organization, function or group;

21

22           (xiii) Provide an educational program in  
23 compliance with uniform state standards prescribed under

1 W.S. 21-9-101 and 21-9-102 and by rule and regulation of  
2 the state board;

3

4 (xiv) (A) Publish the following notice in a  
5 newspaper of general circulation in the county in which the  
6 partnership school district is located at least two (2)  
7 times each year, once within a week after the first regular  
8 meeting in December and once as a part of the statement of  
9 revenue and expenditures of the partnership district:

10

11 Notice of School Board Meetings and Availability of  
12 Minutes

13

14 Notice is hereby given that regular meetings of the  
15 board of trustees of .... State-Federal Partnership School  
16 District, State of Wyoming, are held each month, at ....  
17 o'clock on .... (here insert days or dates) in Room .... of  
18 the .... school building in .... (city or town), Wyoming,  
19 and such meetings are open to the public.

20

21 Notice is also given that official minutes of each  
22 regular or special meeting of such board, including a  
23 record of all official acts and of all warrants issued, are  
24 available for inspection by any citizen during regular

1 office hours at the office of the clerk of said partnership  
2 district, at .... (here insert address of office).

3

4

.....

5

Chairman, Board of Trustees

6

Partnership School District

7

8

(B) If the board changes the time and place  
9 of its regular meetings, then such notice shall also be  
10 published in a newspaper of general circulation in the  
11 county in which the partnership school district is located,  
12 once before such change shall become effective;

13

14

(C) All meetings of the partnership board  
15 are subject to W.S. 16-4-401 through 16-4-408.

16

17

(xv) Require the performance of each initial  
18 contract teacher to be evaluated in writing at least twice  
19 annually. The teacher shall receive a copy of each  
20 evaluation of his performance;

21

22

(xvi) Establish a teacher performance evaluation  
23 system and require the performance of each continuing  
24 contract teacher to be evaluated in writing at least once

1 each year. The teacher shall receive a copy of each  
2 evaluation of his performance;

3

4 (xvii) Performance evaluations required shall  
5 serve as a basis for improvement of instruction,  
6 enhancement of curriculum program implementation,  
7 measurement of both individual teacher performance and  
8 professional growth and development and the performance  
9 level of all teachers within the partnership district, and  
10 as documentation for unsatisfactory performance for  
11 dismissal and termination proceedings;

12

13 (xviii) Establish a student assessment system to  
14 measure student performance relative to the uniform student  
15 content and performance standards in all content areas for  
16 which the state board has promulgated standards pursuant to  
17 W.S. 21-2-304(a)(iii). To the extent required by the state  
18 board under W.S. 21-2-304(a)(v) and (vi), the district  
19 assessment system shall be integrated with the statewide  
20 assessment system and the statewide accountability system.  
21 A component of the district assessment system required by  
22 this paragraph shall include a body of evidence assessment  
23 system designed and used to determine the various levels of  
24 student performance as described in the uniform student

1 content and performance standards relative to the common  
2 core of knowledge and skills prescribed under W.S.  
3 21-9-101(b);

4

5 (xix) At minimum, provide the three (3)  
6 endorsements on high school transcripts specified under  
7 W.S. 21-2-304(a)(iv) and may provide additional  
8 endorsements;

9

10 (xx) Provide access to district records and  
11 other information by the department of audit as necessary  
12 to conduct audits and studies under W.S. 9-1-513 and  
13 otherwise cooperate with the department of audit when  
14 conducting audits and studies of the district pursuant to  
15 W.S. 9-1-513. The board shall also submit a written  
16 response to the department of audit on each audit and  
17 report conducted on the district in accordance with W.S.  
18 9-1-513;

19

20 (xxviii) Annually report to the state  
21 superintendent on district expenditures for any vocational  
22 education programs provided by the district, broken down  
23 and submitted in a manner and form required by rule and  
24 regulation of the state superintendent;

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(xix) Each spring semester, administer a program where all students enrolled in the eleventh grade in the district shall be required to take, on a date specified by the state superintendent, either a standardized, curriculum based, achievement college entrance examination or a jobs skills assessment test in accordance with W.S. 21-2-202(a)(xxx). The results of the examination or jobs skills assessment test taken shall be included in each student's transcript.

**21-3-605. Powers of partnership district boards of trustees.**

(a) The board of trustees in each state-federal partnership school district within the state may:

(i) Sue and be sued in the name by which the partnership district is designated;

(ii) Acquire, hold, convey, lease, rent and manage property, real and personal, for the benefit of the partnership district in the name by which the district is designated, either alone or jointly with another public or

1 private agency, institution, person or corporation. This  
2 includes capital leasing under W.S. 21-15-112;

3

4 (iii) Enter into agreements with any public or  
5 private agency, institution, person or corporation for the  
6 performance of acts or furnishing of services or facilities  
7 by or for the partnership school district;

8

9 (iv) Employ legal counsel and bear the cost of  
10 litigation;

11

12 (v) Accept or reject any gift, grant, bequest or  
13 devise;

14

15 (vi) Employ and determine the salaries and  
16 duties of:

17

18 (A) A superintendent of educational  
19 programs and services within the district who shall be the  
20 chief administrative officer of the district;

21

22 (B) Principals who shall assume the  
23 administrative responsibility and instructional leadership  
24 of any educational programs and services serving a range of

1 grade levels to which they are assigned in accordance with  
2 policies adopted by the board, provided that if the  
3 superintendent requests recommendations from a principal  
4 concerning the suspension, dismissal, assignment, transfer  
5 or termination of any teacher employed in the school to  
6 which the principal is assigned, the recommendation shall  
7 be given only after periodic evaluation of the teacher's  
8 classroom performance;

9

10 (C) Teachers who shall provide the  
11 expertise in their areas of instruction;

12

13 (D) Other certified professional employees;

14 and

15

16 (E) Other personnel.

17

18 (vii) Discharge any employee subject to the  
19 provisions of any applicable law governing the procedure  
20 for terminating the employment of school district  
21 employees;

22

23 (viii) Insure against loss of property;

24



1           (ix) Provide for the operation of school lunch  
2 programs in programs and services under its jurisdiction;

3

4           (x) Require any officer or employee whose duty  
5 it is to handle funds or property of the partnership  
6 district, including activity accounts, to be bonded under a  
7 suitable individual or blanket bond indemnifying the  
8 district against loss. The board shall determine the  
9 amount and type of the bond;

10

11           (xi) Acquire for the partnership school  
12 district, by condemnation, the fee simple title to any real  
13 estate situated within the district including easements and  
14 rights-of-way, when necessary in the proper maintenance and  
15 operation of the school system;

16

17           (xii) Subject to W.S. 21-6-217(b), convey, with  
18 or without consideration, title to real property which is  
19 not being used and will not be used by the district to the  
20 state or its political subdivisions for public use;

21

22           (xiii) Convey or otherwise divest, with or  
23 without consideration, title to personal property which is  
24 not being used and will not be used by the district to the

1 extent not prohibited by Article 16, Section 6, Wyoming  
2 Constitution;

3

4 (xiv) Define "unexcused absence" and "habitual  
5 truancy" for all students who are attending educational  
6 programs in the partnership district and who have met  
7 compulsory attendance requirements, and establish rules and  
8 regulations regarding their attendance. For purposes of  
9 this paragraph, students participating in the annual state  
10 fair held under W.S. 11-10-101 as an exhibitor shall be  
11 considered as participating in a district cocurricular  
12 activity program and shall be defined by the board as an  
13 excused absence;

14

15 (xv) Establish a school bus driver training  
16 program in accordance with W.S. 21-3-131(a).

17

18 **21-3-606. Signing of warrants and checks.**

19

20 (a) All warrants or other orders to pay money drawn  
21 on the partnership school district treasury, and all checks  
22 on a depository, shall bear the signature of the clerk or  
23 treasurer and the chairman of the board of trustees. The

1 signatures may be reproduced as provided in W.S. 16-2-101  
2 through 16-2-103.

3

4 (b) All warrants or other orders to pay money drawn  
5 on activity or special funds shall be signed and  
6 administered in the manner provided in subsection (a) of  
7 this section and in accordance with the written policy of  
8 the board. Activity or special funds shall be subject to  
9 supervision and examination by the director of the state  
10 department of audit.

11

12 **21-3-607. Duties of clerk of partnership district.**

13

14 (a) The clerk of a state-federal partnership school  
15 district shall:

16

17 (i) Within thirty (30) working days after the  
18 close of each fiscal year, submit all fiscal reports to the  
19 state superintendent of public instruction for the past  
20 fiscal year. The reports shall contain information required  
21 by the state superintendent. A copy of the reports shall  
22 also be filed with the county clerk of the county in which  
23 the district is located;

24

1           (ii) Cause to be filed copies of all reports  
2 made to the state superintendent and all papers transmitted  
3 to him by school officers or other persons pertaining to  
4 the business of the district. After two (2) years have  
5 elapsed from the date of filing, microfilm copies may be  
6 treated as originals;

7

8           (iii) Cause a certificate to be endorsed upon  
9 every bond or evidence of debt, issued pursuant to law,  
10 that the same is within the lawful debt limit of the  
11 partnership district and is issued according to law;

12

13           (iv) Record all proceedings of the board in  
14 books to be kept for that purpose.

15

16           **21-3-608. Duties of treasurer of partnership**  
17 **district.**

18

19           (a) The treasurer of each state-federal partnership  
20 school district shall:

21

22           (i) Have custody of all monies belonging to the  
23 district and pay out the same on order of the clerk,  
24 countersigned by the chairman;

1

2 (ii) Cause an account to be kept of the receipts  
3 and expenditures of the district;

4

5 (iii) Render a statement of the finances of the  
6 district at any time when required by the board and cause a  
7 detailed report showing the sources of revenue and the  
8 purposes for which monies were expended to be published at  
9 the close of each fiscal year in a newspaper of general  
10 circulation within the county in which the partnership  
11 school district is located.

12

13 **21-3-609. Partnership district local tax revenues.**

14

15 A state-federal partnership district is not granted  
16 authority to impose any levy on the property within any  
17 territory lying within the district as are public school  
18 districts under W.S. 21-13-102 but shall receive its share  
19 of revenues from the county levy in accordance with W.S.  
20 21-13-201 and the apportionment of the county school fund  
21 under W.S. 21-13-207.

22

1           **21-3-610. Partnership district state financial**  
2 **support; participation in state public school foundation**  
3 **program; required reporting.**

4  
5           (a) A state-federal partnership district is eligible  
6 to participate in the public school foundation program  
7 established under W.S. 21-13-309 upon compliance with W.S.  
8 21-13-307 and other requirements imposed by law and by rule  
9 and regulation of the department of education.

10  
11           (b) State financial support determined for the  
12 partnership district under W.S. 21-13-309 shall be reduced  
13 by all federal revenues available to the district under the  
14 partnership agreement prior to payment of any entitlement  
15 under W.S. 21-13-311.

16  
17           (c) Eligibility for state financial support shall be  
18 conditioned upon complying with all statutory requirements  
19 imposed upon all Wyoming school districts unless  
20 specifically exempt by law from statutory requirements, and  
21 upon providing the department of education with necessary  
22 data and reports to perform all computations under W.S.  
23 21-13-309 and 21-13-310.

24

1           **21-3-611. Partnership district buildings and**  
2 **facilities; bond issues prohibited; major maintenance**  
3 **payments.**

4  
5           (a) A state-federal partnership district or its board  
6 of trustees shall not enter into school building and  
7 facility construction and renovation project agreements  
8 with the school facilities commission under W.S.  
9 21-15-114(a)(viii) nor shall the board submit a proposition  
10 for bonded indebtedness to acquire, construct, improve,  
11 remodel or equip buildings and facilities.

12  
13           (b) Notwithstanding subsection (a) of this section, a  
14 state-federal partnership district shall receive payments  
15 from the state under W.S. 21-15-109 for major maintenance  
16 and facility repair and replacement needs of the district's  
17 buildings and facilities.

18  
19           **21-3-612. Conflict of law.**

20  
21 If the provisions of this article conflict with any other  
22 statute, the provisions of this article control.

23

1           **Section 2.** W.S. 9-1-513(a), 21-2-202(a) by creating a  
2 new paragraph (xxxi), 21-2-203 by creating a new subsection  
3 (f), 21-2-304(a) by creating a new paragraph (vii),  
4 21-2-305(a)(ii), 21-2-502(a), 21-2-602, 21-4-103, 21-4-301,  
5 21-7-102(a)(i), 21-7-301, 21-7-303(a), (c) and (d),  
6 21-7-304, 21-7-401, 21-9-101(a), 21-9-201(a),  
7 21-13-101(a)(iii), 21-13-102(a) by creating a new paragraph  
8 (iii), 21-13-201(b), 21-13-207, 21-13-307(a)(intro) and by  
9 creating a new paragraph (iv) and (b), 21-13-309(m)(iv) by  
10 creating a new subparagraph (D) and (p), 21-13-310(a) by  
11 creating a new paragraph (xvi), 21-13-311(a), 21-13-313(a)  
12 and (c), 21-13-320(b)(intro), 21-13-321(b),  
13 21-13-324(a)(intro), 21-13-701 by creating a new subsection  
14 (d), 21-15-109(b) and 21-15-111(a) by creating a new  
15 paragraph (viii) and by renumbering (viii) as (xix) are  
16 amended to read:

17

18           **9-1-513. School finance audits and management**  
19 **studies.**

20

21           (a) In addition to other duties prescribed under this  
22 article, the director of the department of audit shall  
23 establish a school finance section within the department to  
24 carry out duties prescribed by this section. As used in



1 this section, "school district" shall include state-federal  
2 partnership districts established under W.S. 21-3-601.

3  
4 **21-2-202. Duties of the state superintendent.**

5  
6 (a) In addition to any other duties assigned by law,  
7 the state superintendent shall:

8  
9 (xxxi) In addition to paragraph (xix) of this  
10 subsection, enter into agreements with the federal  
11 government for the establishment of state-federal  
12 partnership school districts pursuant to W.S. 21-3-601, and  
13 in all other respects unless otherwise provided by law,  
14 advise, supervise and administer to partnership districts  
15 in the same manner and to the extent provided school  
16 districts.

17  
18 **21-2-203. School district data collection and funding**  
19 **model administration; duties and responsibilities**  
20 **specified; data advisory committee; school district**  
21 **compliance.**

22

1       (f) For purposes of this section, a state-federal  
2 partnership district established under W.S. 21-3-601 shall  
3 be considered a school district.

4  
5       **21-2-304. Duties of the state board of education.**

6  
7       (a) The state board of education shall:

8  
9               (vii) Administer provisions of this subsection  
10 to state-federal partnership districts in the same manner  
11 and to the extent provided for school districts.

12  
13       **21-2-305. Reports and assistance from local boards**  
14 **and officials.**

15  
16       (a) In addition to any other powers assigned to it by  
17 law, the state board may:

18  
19               (ii) Require such reports and other assistance  
20 from school boards and officials as it may from time to  
21 time deem necessary and advisable, including boards of  
22 state-federal partnership districts established under W.S.  
23 21-3-601.

24

1           **21-2-502. Duties of school districts; interdistrict**  
2 **contracts; assistance of state superintendent; attendance**  
3 **beyond school age.**

4  
5           (a) Each school district of this state including a  
6 state-federal partnership district created under W.S.  
7 21-3\_601, having any school age children residing in the  
8 district who possess any of the disabilities covered under  
9 this article shall, subject to the rules and regulations of  
10 the state superintendent, provide for the appropriate  
11 diagnosis, evaluation, education or training and necessary  
12 related services and may include, but is not limited to  
13 room and board, for those children. If the school district  
14 is unable to provide the necessary and appropriate programs  
15 and services, it shall contract with another school  
16 district or agency to obtain them. If the programs and  
17 services cannot reasonably be provided by the district or  
18 by interdistrict contracts, the state superintendent shall  
19 assist local boards of trustees in arranging for the  
20 appropriate educational programs and services either within  
21 or without the state pursuant to its rules and regulations  
22 and financed as provided by law.

23

1           **21-2-602. Acceptance of funds not mandatory; local**  
2 **control of schools not to be surrendered.**

3  
4 Except for state-federal partnership school districts  
5 established under W.S. 21-3-601, nothing in this article  
6 shall be construed to make acceptance of funds provided  
7 herein mandatory to any school district, nor shall anything  
8 herein contained be considered as a directive or authority  
9 to surrender any degree of local control of the schools of  
10 the state by the state board of education or any other  
11 school authority.

12  
13           **21-4-103. Enforcement of article; appointment and**  
14 **compensation of attendance officers.**

15  
16 The primary responsibility for the enforcement of this  
17 article shall be upon the board of trustees of the school  
18 district and any partnership district established under  
19 W.S. 21-3-601, which shall appoint an attendance officer or  
20 officers to carry out the provisions of this article. Said  
21 officer shall be paid out of the district treasury such sum  
22 as may be provided in the order of appointment.

23

1           **21-4-301. Schools to be free and accessible to all**  
2 **children; minimum school year.**

3

4 Except as otherwise provided by law, the public schools of  
5 each school district in the state shall at all times be  
6 equally free and accessible to all children resident  
7 therein of five (5) years of age as of September 15 of the  
8 applicable school year and under the age of twenty-one  
9 (21), subject to regulations of the board of trustees. For  
10 purposes of this article, public school and school district  
11 shall include educational programs and services provided by  
12 a state-federal partnership district established under W.S.  
13 21-3-601. Each school district shall operate its schools  
14 and its classes for a minimum of one hundred seventy-five  
15 (175) days each school year unless an alternative schedule  
16 has been approved by the state board. Prior to submission  
17 of a proposed alternative schedule to the state board, the  
18 board of trustees shall hold at least two (2) advertised  
19 public meetings within the district, at which the board  
20 shall present the proposed alternative schedule and respond  
21 to public questions and comments. Any school district  
22 operating under an alternative schedule shall annually  
23 evaluate the effectiveness of that schedule in meeting the

1 educational goals and purposes for which the schedule was  
2 adopted.

3

4 **21-7-102. Definitions.**

5

6 (a) As used in the article the following definitions  
7 shall apply:

8

9 (i) "Board". - The board of trustees of any  
10 school district in the state of Wyoming offering  
11 instruction in any of the grades kindergarten through  
12 twelve (12), including a state-federal partnership school  
13 district established under W.S. 21-3-601;

14

15 **21-7-301. Boards of trustees authorized to provide**  
16 **insurance and other fringe and employment benefits.**

17

18 The board of trustees of each school district within the  
19 state including the board of any state-federal partnership  
20 district established under W.S. 21-3-601, may provide  
21 health insurance, life insurance, and other fringe and  
22 employment benefits of all types for the teachers,  
23 administrative personnel and other employees of the school  
24 district to such extent as it deems such benefits to be in

1 the best interest of the school district. Such benefits  
2 may be paid for entirely by the school district or partly  
3 by the school district and partly by the employee, the  
4 degree of participation of each being entirely within the  
5 discretion of the board of trustees.

6

7 **21-7-303. Certificate or permit required; exception.**

8

9 (a) Except as otherwise provided in subsection (b),  
10 (c) or (d) of this section, no person shall teach or  
11 supervise in a public school in this state including an  
12 educational programs and services provided by state-federal  
13 partnership school districts established under W.S.  
14 21-3-601, and receive compensation therefor out of any  
15 public fund who at the time of rendering such services is  
16 not a holder of or a candidate and qualified for a  
17 certificate or permit issued or to be issued under the laws  
18 of this state and the rules and regulations of the Wyoming  
19 professional teaching standards board pursuant to W.S.  
20 21-2-802.

21

22 (c) In accordance with the provisions of this  
23 subsection, a person may teach driver education in a public  
24 school in this state including a state-federal partnership

1 school district established under W.S. 21-3-601, without  
2 holding or being qualified for a certificate or permit  
3 issued by the Wyoming professional teaching standards board  
4 and without meeting the requirements of W.S. 21-7-304. The  
5 Wyoming professional teaching standards board shall by rule  
6 establish and maintain minimum standards for a permit for  
7 that employment which shall be applicable only as provided  
8 in this subsection. A person employed by a school district  
9 to teach driver education in a public school in this state,  
10 shall not be employed for more than three (3) consecutive  
11 school years in any period beginning after July 1, 1997,  
12 unless the person has met the requirements of the  
13 professional teaching standards board for a permit to teach  
14 driver education.

15

16 (d) A person may be employed as superintendent of  
17 schools by any district board of trustees including a board  
18 of any state-federal partnership school district  
19 established under W.S. 21-3-601, without holding or being  
20 qualified for certification by the Wyoming professional  
21 teaching standards board pursuant to W.S. 21-2-802. A  
22 person who has not qualified for certification pursuant to  
23 W.S. 21-2-802 shall be required to comply with W.S.



1 21-2-802(e) prior to being employed by any district board  
2 as a superintendent of schools.

3

4 **21-7-304. Candidate for certificate must pass**  
5 **examination on state and federal constitutions.**

6

7 All persons hereafter applying for certificates authorizing  
8 them to become administrators or teachers in the public  
9 schools of this state including educational programs and  
10 services provided by a state-federal partnership school  
11 district created under W.S. 21-3-601, shall before  
12 receiving such certificate be required to pass a  
13 satisfactory examination upon the provisions and principles  
14 of the constitutions of the United States and the state of  
15 Wyoming or present evidence of having successfully  
16 completed a course equivalent to that required in W.S.  
17 21-9-102.

18

19 **21-7-401. Boards of trustees to require criminal**  
20 **history background information.**

21

22 The board of trustees of each school district within the  
23 state including a state-federal partnership district  
24 established under W.S. 21-3-601, shall require any employee

1 initially hired by the school board on or after July 1,  
2 1996, who may have access to minors to submit to  
3 fingerprinting for the purpose of obtaining state or  
4 national criminal history record information before  
5 employment. The provisions of this section shall not apply  
6 to persons certificated under W.S. 21-2-802 who have met  
7 the requirements of this section pursuant to the  
8 certification process.

9

10 **21-9-101. Educational programs for schools;**  
11 **standards; core of knowledge and skills; special needs**  
12 **programs; class size requirements; cocurricular activities.**

13

14 (a) The board of trustees of each school district  
15 within the state shall cause the schools under its  
16 jurisdiction to provide an educational program in  
17 accordance with uniform standards defined under this  
18 section and rules and regulations promulgated by the state  
19 board of education pursuant to W.S. 21-2-304(a). For  
20 purposes of this article, school district shall include a  
21 state-federal partnership district established under W.S.  
22 21-3-601.

23

1           **21-9-201. Boards of trustees to purchase and lend to**  
2 **pupils; responsibility of pupils; sale of surplus.**

3

4           (a) The board of trustees of each school district  
5 within the state including the board of a state-federal  
6 partnership school district created under W.S. 21-3-601,  
7 shall purchase all textbooks necessary to the operation of  
8 the schools under its jurisdiction. Each such board may in  
9 addition purchase such supplies as it deems necessary. Such  
10 textbooks and supplies shall be held as the property of the  
11 district and shall be loaned to pupils free of any charge;  
12 provided, the pupils shall be held responsible for damage  
13 to, loss of, or failure to return such books and supplies  
14 except those that by their nature are expended during the  
15 course of study.

16

17           **21-13-101. Definitions.**

18

19           (a) As used in this article:

20

21           (iii) "District" means any school district as defined  
22 by law and shall include a state-federal partnership  
23 district established under W.S. 21-3-601;

24

1           **21-13-102. Maximum rate of school district tax;**  
2 **recapture of excess; equalization of permissive levies.**

3  
4           (a) Except as otherwise provided by law, the maximum  
5 rate of school district tax that may be levied for all  
6 school purposes, exclusive of bond interest and redemption,  
7 for any school district in any school year on each dollar  
8 of assessed valuation within the school district is as  
9 follows:

10  
11                   (iii) In state-federal partnership districts  
12 created under W.S. 21-3-601, no local district tax levy is  
13 authorized nor required for participation in the public  
14 school foundation program.

15  
16           **21-13-201. Levy, collection and distribution of 6**  
17 **mill school tax.**

18  
19           (b) On or before September 1 of each year, the state  
20 department of education shall notify the treasurer of each  
21 county of the percentage proportion to be allocated from  
22 the countywide six (6) mill school levy to each school  
23 district in his respective county including a state-federal  
24 partnership district established under W.S. 21-3-601. The

1 computation of the distribution of the countywide six (6)  
2 mill levy shall be made by the department of education on  
3 the basis of the average daily membership (ADM) for the  
4 previous year. This number, for each district, shall be  
5 converted into a percentage of the total average daily  
6 membership (ADM) for all school districts within the county  
7 including a state-federal partnership district. The county  
8 treasurer shall distribute the revenue arising from the  
9 countywide six (6) mill levy among the school districts of  
10 the county according to the percentage computed above and  
11 pursuant to W.S. 21-13-207.

12

13 **21-13-207. Apportionment of funds by county**  
14 **treasurer.**

15

16 On the second Monday of each month, the county treasurer  
17 shall apportion all monies in the county treasury belonging  
18 to the county school fund, including all interest earned  
19 thereon and including fines and forfeitures, among the  
20 various school districts of the county in the same  
21 percentages as provided by W.S. 21-13-201(b) and shall  
22 immediately pay the amount to each school district  
23 including a state-federal partnership district created  
24 under W.S. 21-3-601.

1

2           **21-13-307. Eligibility to share in distribution of**  
3 **money from foundation account; mandatory financial**  
4 **reporting.**

5

6           (a) Each district including a state-federal  
7 partnership district created under W.S. 21-3-601, which  
8 meets the following requirements is eligible to share in  
9 the distribution of funds from the foundation account:

10

11                   (iv) Notwithstanding W.S. 21-13-310(a)(ii), a  
12 state-federal partnership district created under W.S.  
13 21-3-601 is exempt from the local district tax effort under  
14 W.S. 21-13-102.

15

16           (b) Each district shall provide financial reports to  
17 the department on forms and in such manner required by the  
18 department under W.S. 21-2-203 and by rules and regulations  
19 promulgated by the state superintendent of public  
20 instruction pursuant to this article. In administering this  
21 article, the state superintendent may conduct audits of  
22 information submitted by districts under this article as  
23 necessary to administer and perform computations pertaining  
24 to the cost components within the education resource block

1 grant model, and may, after consulting and negotiating with  
2 the school district, correct the information reported by  
3 districts under this article to fairly and accurately  
4 reflect the data type, classification and format necessary  
5 to perform computations required to administer the school  
6 finance system established under this article. A state-  
7 federal partnership school district shall provide the  
8 department sufficient reports to enable a determination of  
9 federal programs provided among the district's educational  
10 program and services and of the total amount of federal  
11 monies available to the district during any reporting  
12 period.

13

14 **21-13-309. Determination of amount to be included in**  
15 **foundation program for each district.**

16

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

20

21 (iv) Based upon reports from each district on  
22 schools operating within that district for the current  
23 school year and on grade configurations contained within  
24 each reported school during that school year, compute the

1 average daily membership (ADM) for each reported school and  
2 each grade within each reported school in accordance with  
3 identified grade configurations subject to the following:

4  
5 (D) Based upon reports from state-federal  
6 partnership districts, compute the average daily membership  
7 (ADM) for the district and for schools within the district  
8 by basing configurations on the grade levels for which the  
9 district's educational programs and services are provided  
10 during the current school year. In addition, the state  
11 superintendent shall by rule and regulation develop  
12 criteria and procedures to determine ADM computations for  
13 state-federal partnership programs during the initial year  
14 of operation under a partnership agreement.

15  
16 (p) Except as otherwise provided by law and following  
17 the computation and application of any adjustment under  
18 subsection (o) of this section, the amount computed for  
19 each school within each district shall be combined with the  
20 amount computed and provided on a district level for that  
21 district, as prescribed by the education resource block  
22 grant model, to determine the foundation program amount for  
23 each district. District level resources shall also be  
24 included for a state-federal partnership district based



1 upon the average daily membership (ADM) reported under  
2 subparagraph (m)(iv)(D) of this section.

3  
4 **21-13-310. Annual computation of district revenues.**

5  
6 (a) To ensure revenues available to each district are  
7 uniformly sufficient to enable compliance with the uniform  
8 standards for educational programs prescribed under W.S.  
9 21-9-101 and 21-9-102 and to secure state board  
10 accreditation of educational programs under W.S.  
11 21-2-304(a)(ii), the revenues specified under this  
12 subsection shall be deemed state revenues and shall be  
13 considered in determining the amount to be distributed to  
14 each district under W.S. 21-13-311. A district shall make  
15 an annual computation of the following revenues:

16  
17 (xvi) In addition to any federal revenues  
18 received under paragraphs (vi) and (vii) of this subsection  
19 and for state-federal partnership districts, all federal  
20 revenues received by that district during the previous year  
21 pursuant to the partnership agreement under W.S. 21-3-601.

22

1           **21-13-311. Determination of amount to be distributed**  
2 **to each district from foundation account; undistributed**  
3 **balance.**

4  
5           (a) The amount of money which shall be distributed to  
6 each district from the foundation account including a  
7 state-federal partnership district, shall be determined by  
8 subtracting the sum of the district revenues computed in  
9 accordance with W.S. 21-13-310 from the total amount of the  
10 foundation program computed in accordance with W.S.  
11 21-13-309.

12  
13           **21-13-313. Distribution of funds from foundation**  
14 **account; property tax and cash reserve adjustment;**  
15 **regulations.**

16  
17           (a) For each school year the state auditor, on the  
18 certification of the state superintendent, shall draw  
19 warrants on the state treasurer for the amount of money  
20 which shall be distributed to each district from the  
21 foundation account as computed under W.S. 21-13-311,  
22 including a state-federal partnership district created  
23 under W.S. 21-3-601. The warrants, payable to the  
24 treasurer of the district concerned, shall be delivered to

1 the state superintendent for distribution to the several  
2 school districts.

3

4 (c) One-third (1/3) of each district's entitlement  
5 shall be paid to the district on August 15 of each year.  
6 Subject to any adjustment under subsections (d) and (e) of  
7 this section, on or about the fifteenth day of October and  
8 February, the balance of the entitlements shall be  
9 distributed in equal payments. If, after March 1 and before  
10 April 1, the state superintendent determines that the  
11 entitlement paid to a district for that school year is not  
12 accurate, the state superintendent shall make additional  
13 payments to or require payments from that district as  
14 necessary to correct the inaccuracy as soon as practicable.  
15 Except as provided under W.S. 21-2-202(e), after March 31  
16 of any school year, the state superintendent shall not  
17 adjust any district's entitlement or fiscal information  
18 used to compute a district's entitlement for that school  
19 year, and the entitlement or fiscal information shall only  
20 be adjusted thereafter in accordance with audit review  
21 pursuant to W.S. 9-1-513. Entitlement payments for state-  
22 federal partnership districts shall be made at the same  
23 times and in the same manner prescribed for school  
24 districts under this subsection.

1

2           **21-13-320. Student transportation; amount within**  
3 **school foundation program formula for transportation**  
4 **maintenance and operations expenditures and school bus**  
5 **purchases; district reporting requirements.**

6

7           (b) There shall be an amount computed for each school  
8 district including a state-federal partnership district,  
9 equal to the assigned percentage of the base price amount  
10 for bus purchase and lease payment expenditures made by the  
11 district during the previous school year pursuant to  
12 subsection (g) of this section, one hundred percent (100%)  
13 of the amount actually expended by the district during the  
14 previous school year under subsection (c) of this section  
15 and for:

16

17           **21-13-321. Special education; amount within**  
18 **foundation program formula for special education programs**  
19 **and services; district reporting requirements.**

20

21           (b) The amount provided for special education within  
22 the education resource block grant model pursuant to W.S.  
23 21-13-309(m)(v)(E)(II) shall be equal to one hundred  
24 percent (100%) of the amount actually expended by the

1 district including state-federal partnership districts,  
2 during the previous school year for special education  
3 programs and services.

4

5 **21-13-324. Teacher extra compensation adjustment to**  
6 **district total amount per ADM.**

7

8 (a) A district including a state-federal partnership  
9 district may pay extra compensation to a teacher as  
10 necessary to employ teachers for providing educational  
11 programs at locations which because of their unique  
12 circumstances require additional pay. Extra compensation  
13 under this section:

14

15 **21-13-701. Submission of question to electors**  
16 **authorized; purposes for which indebtedness may be created;**  
17 **required public hearing on bonding proposition.**

18

19 (d) The board of trustees of a state-federal  
20 partnership district established under W.S. 21-3-601 shall  
21 not have authority to submit a proposition for bonded  
22 indebtedness and this article shall not apply to state-  
23 federal partnership districts.

24

1           **21-15-109. Major building and facility repair and**  
2 **replacement payments; computation; square footage**  
3 **allowance; use of payment funds; accounting and reporting**  
4 **requirements.**

5  
6           (b) To the extent funds are available, on July 1 of  
7 each year, the school facilities commission shall based  
8 upon square footage computations computed on September 1 of  
9 the prior school year, distribute major building and  
10 facility repair and replacement payments to each school  
11 district from the capital construction account, including  
12 state-federal partnership schools established under W.S.  
13 21-3-601. If funds within the account are not sufficient  
14 for payments on July 1 of any school year, the commission  
15 shall distribute payments from the account on or before  
16 September 30 and March 31 of that school year. Major  
17 building and facility repair and replacement payments shall  
18 be computed in accordance with subsection (c) of this  
19 section.

20  
21           **21-15-111. Definitions.**

22  
23           (a) As used in this act:  
24

1           (viii) "School district" means a school district  
2 as defined by law, and except as provided under W.S.  
3 21-15-109, shall exclude a state-federal partnership  
4 district established under W.S. 21-3-601;

5

6           ~~(viii)~~(xix) "This act" means W.S. 21-15-108,  
7 21-15-109 and 21-15-111 through 21-15-121.

8

9           **Section 2.** This act is effective July 1, 2007.

10

11

(END)