

HOUSE BILL NO. HB0013

Special education funding.

Sponsored by: Select Committee on Developmental Programs

A BILL

for

1 AN ACT relating to education funding; amending the formula
2 for distribution of federal funds for services to preschool
3 children with disabilities; and providing for an effective
4 date.

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

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8 **Section 1.** W.S. 21-2-705 by creating new subsections
9 (c) and (d) is amended to read:

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11 **21-2-705. Fund allocation.**

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13 (c) All funds received by the state from the federal
14 government pursuant to section 611(e)(2) of the federal
15 Individuals with Disabilities Education Act shall be
16 retained by the department of education for state level

1 activities authorized by federal law. The department shall
2 expend these amounts in accordance with the following:

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4 (i) A per student allocation shall be determined
5 by dividing the retained amount, less funds allowed to be
6 retained in the state's high risk pool under section
7 611(e)(3)(A) of the federal Individuals with Disabilities
8 Education Act, by the number of students aged three (3)
9 through twenty-one (21) years receiving special education
10 services on December 1 of the preceding school year;

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12 (ii) A department shall distribute to the
13 division an amount determined by multiplying the per
14 student allocation, determined pursuant to paragraph (i) of
15 this subsection, by the number of children aged three (3)
16 to five (5) years receiving special education services
17 through the division;

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19 (iii) For purposes of this subsection, "children
20 aged three (3) to five (5) years receiving special
21 education services through the division" means the average
22 of the actual number of those students receiving those
23 services through the division on December 1 and on May 1 of
24 the preceding school year;

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(v) Any remaining funds shall be expended for state level activities authorized by section 611(e)(2) and (3) of the federal Individuals with Disabilities Education Act.

(d) All funds received by the state from the federal government pursuant to section 619(f) of the federal Individuals with Disabilities Education Act shall be distributed by the state department of education to the division. To the extent not prohibited by federal law, funds distributed under this subsection shall be expended in a manner jointly determined by the department of education and the division for direct services to children with disabilities eligible for services under federal law.

Section 2. W.S. 21-2-705(b) is repealed.

Section 3. This act is effective July 1, 2006.

(END)