

SENATE FILE NO. SF0073

State-federal partnership schools.

Sponsored by: Select Committee On Tribal Relations

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, state retirement and school building
15 maintenance; excluding partnership district buildings from
16 state programs and oversight; conforming statutory
17 provisions accordingly; appropriating funds and directing

1 the state superintendent to commence specified agreements;
2 and providing for effective dates.

3

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

5

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

8

9

ARTICLE 6

10

STATE-FEDERAL PARTNERSHIP SCHOOLS

11

12 **21-3-601. State-federal partnership school districts;**
13 **creation; attendance areas.**

14

15 (a) Any kindergarten through grade twelve (12)
16 education program provided through partnership agreements
17 entered into between the state and federal government shall
18 for purposes of this title and as limited in this article,
19 be considered a state-federal partnership school district.
20 The state superintendent of public instruction, in
21 consultation with the state board of education, may enter
22 into partnership agreements with the federal government on
23 behalf of the state to provide education programs to school

1 age children which provide programs and services not
2 otherwise provided by the state system of public schools.

3

4 (b) A partnership district created under this section
5 shall physically consist only of the land on which is
6 situated those buildings and facilities in which the
7 partnership district educational programs and services are
8 provided. Its boundaries shall be established from the
9 territory of preexisting school districts and the
10 partnership district shall enter into agreements with any
11 Wyoming school district whose boundaries encompass the land
12 on which the partnership district buildings and facilities
13 are situated to transfer the property pursuant to W.S.
14 21-6-217(b).

15

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

1

2 **21-3-602. Partnership school district board of**
3 **trustees; generally.**

4

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

14

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

20

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

24

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

3

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

7

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

11

12 **21-3-603. Application of Uniform Municipal Fiscal**
13 **Procedures Act.**

14

15 The Uniform Municipal Fiscal Procedures Act applies to each
16 state-federal partnership school district established under
17 this article.

18

19 **21-3-604. Duties of partnership district boards of**
20 **trustees.**

21

22 (a) The board of trustees for each state-federal
23 partnership school district established under this article
24 shall:

1

2 (i) Prescribe and enforce rules, regulations and
3 policies for its own governance and for the governance of
4 the educational programs and services under its
5 jurisdiction. Rules and regulations shall be consistent
6 with the laws of the state and rules and regulations of the
7 state board and the state superintendent and shall be open
8 to public inspection;

9

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

23

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

4

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

6

7 (v) Submit reports concerning finances or any
8 other matter as the state board, state superintendent or
9 state law requires;

10

11 (vi) Control and disburse all monies received
12 from any source to maintain the schools within the
13 district;

14

15 (vii) Obtain competitive bids when any purchase
16 of insurance, supplies or materials other than textbooks
17 costing more than ten thousand dollars (\$10,000.00) and
18 less than twenty-five thousand dollars (\$25,000.00) is
19 contemplated unless precluded by other regulation or
20 statute. If the amount exceeds twenty-five thousand dollars
21 (\$25,000.00), a call for bids shall be published at least
22 once in a newspaper of general circulation in the county in
23 which the partnership district is located. The district
24 shall reserve the right to reject any and all bids and to

1 waive irregularities and informalities in the bidding. No
2 contract shall be divided for the purpose of avoiding this
3 paragraph. Items for which bids are required to be obtained
4 may be described in the published call for bids by stating
5 general requirements and making detailed specifications
6 available to prospective bidders at the district's
7 administrative headquarters;

8

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

24

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

4
5 (x) Operate the partnership district on a fiscal
6 year beginning July 1 and ending the following June 30;

7
8 (xi) Require an accounting of all receipts and
9 expenditures to be made by each organization, function or
10 other group sponsored by or functioning in any way within
11 the buildings and facilities of and the programs and
12 services offered by the partnership district, to be made by
13 each such organization, function or group at least once
14 each year and a copy posted in each building connected with
15 such organization, function or group;

16
17 (xii) Provide an educational program in
18 compliance with uniform state standards prescribed under
19 W.S. 21-9-101 and 21-9-102 and by rule and regulation of
20 the state board;

21
22 (xiii)(A) Publish the following notice in a
23 newspaper of general circulation in the county in which the
24 partnership school district is located at least two (2)

1 times each year, once within a week after the first regular
 2 meeting in December and once as a part of the statement of
 3 revenue and expenditures of the partnership district:

4

5 Notice of School Board Meetings and Availability of
 6 Minutes

7

8 Notice is hereby given that regular meetings of the
 9 board of trustees of State-Federal Partnership School
 10 District, State of Wyoming, are held each month, at
 11 o'clock on (here insert days or dates) in Room of
 12 the school building in (city or town), Wyoming,
 13 and such meetings are open to the public.

14

15 Notice is also given that official minutes of each
 16 regular or special meeting of such board, including a
 17 record of all official acts and of all warrants issued, are
 18 available for inspection by any citizen during regular
 19 office hours at the office of the clerk of said partnership
 20 district, at (here insert address of office).

21

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23

Chairman, Board of Trustees

24

Partnership School District

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

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

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

(xv) Establish a teacher performance evaluation system and require the performance of each continuing contract teacher to be evaluated in writing at least once each year. The teacher shall receive a copy of each evaluation of his performance;

(xvi) Performance evaluations required shall serve as a basis for improvement of instruction, enhancement of curriculum program implementation,

1 measurement of both individual teacher performance and
2 professional growth and development and the performance
3 level of all teachers within the partnership district, and
4 as documentation for unsatisfactory performance for
5 dismissal and termination proceedings;

6
7 (xvii) Establish a student assessment system to
8 measure student performance relative to the uniform student
9 content and performance standards in all content areas for
10 which the state board has promulgated standards pursuant to
11 W.S. 21-2-304(a)(iii). To the extent required by the state
12 board under W.S. 21-2-304(a)(v) and (vi), the district
13 assessment system shall be integrated with the statewide
14 assessment system and the statewide accountability system.
15 A component of the district assessment system required by
16 this paragraph shall include a body of evidence assessment
17 system designed and used to determine the various levels of
18 student performance as described in the uniform student
19 content and performance standards relative to the common
20 core of knowledge and skills prescribed under W.S.
21 21-9-101(b);

22
23 (xviii) At minimum, provide the three (3)
24 endorsements on high school transcripts specified under

1 W.S. 21-2-304(a)(iv) and may provide additional
2 endorsements;

3

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

13

14 (xx) Annually report to the state superintendent
15 on district expenditures for any vocational education
16 programs provided by the district, broken down and
17 submitted in a manner and form required by rule and
18 regulation of the state superintendent;

19

20 (xxi) Each spring semester, administer a program
21 where all students enrolled in the eleventh grade in the
22 district shall be required to take, on a date specified by
23 the state superintendent, either a standardized, curriculum
24 based, achievement college entrance examination or a jobs

1 skills assessment test in accordance with W.S.
2 21-2-202(a)(xxx). The results of the examination or jobs
3 skills assessment test taken shall be included in each
4 student's transcript.

5

6 **21-3-605. Powers of partnership district boards of**
7 **trustees.**

8

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

11

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

14

15 (ii) Acquire, hold, convey, lease, rent and
16 manage property, real and personal, for the benefit of the
17 partnership district in the name by which the district is
18 designated, either alone or jointly with another public or
19 private agency, institution, person or corporation. This
20 includes capital leasing under W.S. 21-15-112;

21

22 (iii) Enter into agreements with any public or
23 private agency, institution, person or corporation for the

1 performance of acts or furnishing of services or facilities
2 by or for the partnership school district;

3

4 (iv) Employ legal counsel and bear the cost of
5 litigation;

6

7 (v) Accept or reject any gift, grant, bequest or
8 devise;

9

10 (vi) Employ and determine the salaries and
11 duties of:

12

13 (A) A superintendent of educational
14 programs and services within the district who shall be the
15 chief administrative officer of the district;

16

17 (B) Principals who shall assume the
18 administrative responsibility and instructional leadership
19 of any educational programs and services serving a range of
20 grade levels to which they are assigned in accordance with
21 policies adopted by the board, provided that if the
22 superintendent requests recommendations from a principal
23 concerning the suspension, dismissal, assignment, transfer
24 or termination of any teacher employed in the school to

1 which the principal is assigned, the recommendation shall
2 be given only after periodic evaluation of the teacher's
3 classroom performance;

4

5 (C) Teachers who shall provide the
6 expertise in their areas of instruction;

7

8 (D) Other certified professional employees;
9 and

10

11 (E) Other personnel.

12

13 (vii) Discharge any employee subject to the
14 provisions of any applicable law governing the procedure
15 for terminating the employment of school district
16 employees;

17

18 (viii) Insure against loss of property;

19

20 (ix) Provide for the operation of school lunch
21 programs as a components of the programs and services under
22 its jurisdiction;

23

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

7

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

13

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

18

19 (xiii) Convey or otherwise divest, with or
20 without consideration, title to personal property which is
21 not being used and will not be used by the district to the
22 extent not prohibited by Article 16, Section 6, Wyoming
23 Constitution;

24

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

11

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

14

15 **21-3-606. Signing of warrants and checks.**

16

17 (a) All warrants or other orders to pay money drawn
18 on the partnership school district treasury, and all checks
19 on a depository, shall bear the signature of the clerk or
20 treasurer and the chairman of the board of trustees. The
21 signatures may be reproduced as provided in W.S. 16-2-101
22 through 16-2-103.

23

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

8

9 **21-3-607. Duties of clerk of partnership district.**

10

11 (a) The clerk of a state-federal partnership school
12 district shall:

13

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

21

22 (ii) Cause to be filed copies of all reports
23 made to the state superintendent and all papers transmitted
24 to him by school officers or other persons pertaining to

1 the business of the district. After two (2) years have
2 elapsed from the date of filing, microfilm copies may be
3 treated as originals;

4

5 (iii) Record all proceedings of the board in
6 books to be kept for that purpose.

7

8 **21-3-608. Duties of treasurer of partnership**
9 **district.**

10

11 (a) The treasurer of each state-federal partnership
12 school district shall:

13

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

17

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

20

21 (iii) Render a statement of the finances of the
22 district at any time when required by the board and cause a
23 detailed report showing the sources of revenue and the
24 purposes for which monies were expended to be published at

1 the close of each fiscal year in a newspaper of general
2 circulation within the county in which the partnership
3 school district is located.

4

5 **21-3-609. Partnership district local tax revenues.**

6

7 A state-federal partnership district is not granted
8 authority to impose any levy on the property within any
9 territory lying within the district as are public school
10 districts under W.S. 21-13-102 but shall receive its share
11 of revenues from the county levy in accordance with W.S.
12 21-13-201 and the apportionment of the county school fund
13 under W.S. 21-13-207.

14

15 **21-3-610. Partnership district state financial**
16 **support; participation in state public school foundation**
17 **program; required reporting.**

18

19 (a) A state-federal partnership district is eligible
20 to participate in the public school foundation program
21 established under W.S. 21-13-309 upon compliance with W.S.
22 21-13-307 and other requirements imposed by law and by rule
23 and regulation of the department of education.

24

1 (b) State financial support determined for the
2 partnership district under W.S. 21-13-309 shall be reduced
3 by all federal revenues available to the district under the
4 partnership agreement prior to payment of any entitlement
5 under W.S. 21-13-311.

6
7 (c) Eligibility for state financial support shall be
8 conditioned upon complying with all statutory requirements
9 imposed upon all Wyoming school districts unless
10 specifically exempt by law from statutory requirements, and
11 upon providing the department of education with necessary
12 data and reports to perform all computations under W.S.
13 21-13-309 and 21-13-310.

14
15 **21-3-611. Partnership district buildings and**
16 **facilities; bond issues prohibited; major maintenance**
17 **payments.**

18
19 (a) A state-federal partnership district or its board
20 of trustees shall not enter into school building and
21 facility construction and renovation project agreements
22 with the school facilities commission under W.S.
23 21-15-114(a)(viii) nor shall the board submit a proposition

1 for bonded indebtedness to acquire, construct, improve,
2 remodel or equip buildings and facilities.

3

4 (b) Notwithstanding subsection (a) of this section, a
5 state-federal partnership district shall receive payments
6 from the state under W.S. 21-15-109 for major maintenance
7 and facility repair and replacement needs of the district's
8 buildings and facilities.

9

10 **21-3-612. Conflict of law.**

11

12 If the provisions of this article conflict with any other
13 statute, the provisions of this article control.

14

15 **Section 2.** W.S. 9-1-513(a), 9-3-402(a)(vi)(D),
16 21-2-202(a) by creating a new paragraph (xxxi), 21-2-203 by
17 creating a new subsection (f), 21-2-304(a) by creating a
18 new paragraph (vii), 21-2-305(a)(ii), 21-2-502(a),
19 21-2-602, 21-4-103, 21-4-301, 21-7-102(a)(i), 21-7-301,
20 21-7-303(a), (c) and (d), 21-7-304, 21-7-401, 21-9-101(a),
21 21-9-201(a), 21-13-101(a)(iii), 21-13-102(a) by creating a
22 new paragraph (iii), 21-13-201(b), 21-13-207,
23 21-13-307(a)(intro) and by creating a new paragraph (iv)
24 and (b), 21-13-309(m)(iv) by creating a new subparagraph

1 (D) and (p), 21-13-310(a) by creating a new paragraph
2 (xvi), 21-13-311(a), 21-13-313(a) and (c),
3 21-13-320(b)(intro), 21-13-321(b), 21-13-324(a)(intro),
4 21-13-701 by creating a new subsection (d), 21-15-109(b)
5 and 21-15-111(a) by creating a new paragraph (viii) and by
6 renumbering (viii) as (xix) are amended to read:

7

8 **9-1-513. School finance audits and management**
9 **studies.**

10

11 (a) In addition to other duties prescribed under this
12 article, the director of the department of audit shall
13 establish a school finance section within the department to
14 carry out duties prescribed by this section. As used in
15 this section, "school district" shall include state-federal
16 partnership districts established under W.S. 21-3-601.

17

18 **9-3-402. Definitions.**

19

20 (a) As used in this article:

21

22 (vi) "Employer" or "participating employer"
23 means:

24

1 (D) Any school district including any
2 state-federal partnership district established under W.S.
3 21-3-601;

4

5 **21-2-202. Duties of the state superintendent.**

6

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

9

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

18

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

23

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
11 district" shall include educational programs and services
12 provided by a state-federal partnership district
13 established under W.S. 21-3-601. Each school district shall
14 operate its schools and its classes for a minimum of one
15 hundred seventy-five (175) days each school year unless an
16 alternative schedule has been approved by the state board.
17 Prior to submission of a proposed alternative schedule to
18 the state board, the board of trustees shall hold at least
19 two (2) advertised public meetings within the district, at
20 which the board shall present the proposed alternative
21 schedule and respond to public questions and comments. Any
22 school district operating under an alternative schedule
23 shall annually evaluate the effectiveness of that schedule

1 in meeting the educational goals and purposes for which the
2 schedule was 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 in
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
22 defined by law and shall include a state-federal
23 partnership 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
21 school year pursuant to the partnership agreement under
22 W.S. 21-3-601.

23

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 3.** Ten thousand dollars (\$10,000.00) is
10 appropriated from the general fund to the state
11 superintendent of public instruction to commence efforts
12 for the development of a partnership agreement with the
13 federal government on behalf of the state to provide
14 educational programs and services to school age children
15 through the school located on the Wind River Indian
16 Reservation in Fremont County, Wyoming, and receiving
17 federal funds through the bureau of Indian affairs. The
18 efforts funded under this section shall be conducted in
19 accordance with and as authorized under W.S. 21-3-601
20 through 21-3-612 as created under section 1 of this act.
21 progress under this section shall be periodically reported
22 to the governor's office, the joint appropriations interim
23 committee and the joint education interim committee.

24

1 **Section 4.**

2

3 (a) Except as provided under subsection (b) of this
4 section, this act is effective July 1, 2007.

5

6 (b) Notwithstanding subsection (a) of this section,
7 section 3 of this act is effective immediately upon
8 completion of all acts necessary for a bill to become law
9 as provided by Article 4, Section 8 of the Wyoming
10 Constitution.

11

12

(END)