

ENROLLED ACT NO. 22, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2006 BUDGET SESSION

AN ACT relating to education; providing for funding of developmental preschool programs, as specified; providing requirements for contracts with developmental preschools, as specified; requiring reports; granting rulemaking authority; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 21-2-706 is created to read:

21-2-706. Developmental preschool funding.

(a) Expenditures by the division for developmental preschool services shall be subject to the following:

(i) Contractual payments to developmental preschool service providers shall be sufficient for the providers to provide adequate services for children age birth through five (5) years of age with developmental disabilities and delays, including compensation levels for early childhood special educators, occupational therapists, physical therapists and speech-language therapists that are competitive with local school district compensation levels for those categories;

(ii) Contractual payments to developmental preschool service providers shall be sufficient for the providers to pay for professional development activities of their professional employees and for a statewide program to identify children age birth through five (5) years of age in need of developmental preschool services;

(iii) Contracts with developmental preschool service providers shall require that the providers adopt

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evidence-based best practices, as defined by the division by rule and regulation.

(b) For purposes of calculating payments to service providers for the subsequent fiscal year and preparing the division's standard budget for the subsequent biennium, children age birth through five (5) years of age with developmental disabilities who are subject to an individualized education program or an individualized family service plan shall be estimated as of December 1 of the current fiscal year, and that number shall be multiplied by seven thousand two hundred six dollars (\$7,206.00) per child per year.

(c) In preparing its exception budget amount following the 2007-2008 biennium and thereafter, the department of health shall propose that the amount described in subsection (b) shall be increased by the most recent external cost adjustment as enacted by the legislature pursuant to W.S. 21-13-309(o)(i) and (r).

Section 2.

(a) The developmental disabilities division of the department of health shall report to the select committee on developmental programs or, if that committee no longer exists, to the joint education interim committee and the joint labor, health and social services interim committee as follows:

(i) By October 1, 2006, and every year thereafter, regarding:

(A) Whether compensation levels for early childhood special educators, occupational therapists, physical therapists and speech-language therapists are

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competitive with local school district salaries, and the effect of school district recalibration on those salaries;

(B) Whether funding levels are sufficient to provide required services for all eligible children;

(C) Whether services for children with developmental disabilities are provided in a least restrictive environment;

(D) Whether developmental preschools have adopted evidence-based best practices;

(E) Whether developmental preschools are meeting parent expectations based on parent satisfaction surveys and children are making sufficient and measurable progress based on student performance measurements. If a program is not providing satisfactory results, the board of directors of the program shall submit a remedial plan to the division that details the steps that will be taken to correct the deficiencies. The division shall report the results of the parent satisfaction surveys and student performance measurements as well as the number of regions out of compliance with the above performance measures, the number of remedial plans submitted to the division and the number of regions correcting noncompliance within the past year. For the October 1, 2006 report only, the division shall submit a plan for implementation, including a description of the parent survey instrument to be used in successive years and the method to be used for assessing student performance rather than the outcome measures.

(ii) By October 1, 2006, regarding:

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(A) The progress of a mental health pilot project and the cost of integrating mental health services in developmental preschools;

(B) The capital construction needs of developmental preschools in the state.

Section 3. The department of education shall report to the select committee on developmental programs or, if that committee no longer exists, to the joint education interim committee and the joint labor, health and social services interim committee by October 1, 2006 on the amount of funds each school district is providing to the developmental preschools to conduct child find activities for children from birth through five (5) years of age.

Section 4. In addition to any other funds appropriated for developmental preschool programs, up to eleven million one hundred thirteen thousand one hundred seventy-one dollars (\$11,113,171.00) is appropriated to the department of health from the general fund for the biennium commencing July 1, 2006 for contractual payments to developmental preschools to fulfill the purposes of this act.

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk