

HOUSE BILL NO. HB0168

School district reorganization.

Sponsored by: Representative(s) Harshman

A BILL

for

1 AN ACT relating to school district organization; providing
2 for the countywide organization of districts as specified;
3 establishing county committees for this purpose; imposing a
4 consolidation planning process and reporting requirements;
5 specifying reorganization implementation and time of
6 implementation; imposing duties upon the state committee;
7 requiring reporting to legislature for plan execution;
8 modifying transitional funding accordingly; and providing
9 for an effective date.

10

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

12

13 **Section 1.** W.S. 21-6-301 through 21-6-303 are created
14 to read:

15

16 ARTICLE 3

17 SCHOOL DISTRICT REORGANIZATION

1

2 **21-6-301. Definitions.**

3

4 (a) As used in this article:

5

6 (ii) "County committee" means the county planning
7 committee for the consolidation of school districts in
8 accordance with this article;

9

10 (ii) "Plan of consolidation" means a plan which
11 would place all the territory of a county into one (1)
12 unified school district with boundaries identical to those
13 of the county in which it is located;

14

15 (iii) "State committee" means as defined in W.S.
16 21-6-202(a)(ii);

17

18 (iv) "Unified school district" means as defined
19 in W.S. 21-6-202(a)(iv).

20

21 **21-6-302. County planning committees; membership;**
22 **duties.**

23

1 (a) By September 1, 2011, the board of trustees of
2 each school district within each county containing more
3 than one (1) school district shall elect one (1) registered
4 voter from each school district to be a member of a county
5 committee to review the consolidation of the school
6 districts within that county. In those counties with five
7 (5) or less districts, two (2) members shall be elected
8 from each district.

9
10 (b) Each member of the district boundary board of
11 each county or counties established under W.S. 21-6-203
12 shall be an ex officio member of the county committee
13 without voting privileges.

14
15 (c) Each county planning committee shall:

16
17 (i) Prepare and submit to the state committee
18 before September 1, 2012, a report on consolidation and a
19 plan of reorganization conforming to the criteria and
20 procedures specified in this article for the reorganization
21 of school districts within the county, to be effective July
22 1, 2013;

23

1 (ii) Hold at least one (1) public hearing within
2 the county on its proposal for the reorganization plan.
3 Notice of each hearing shall be published in a newspaper of
4 general circulation in the county at least once each week
5 for the two (2) week period immediately preceding the time
6 set for the hearing. The notice shall contain a statement
7 of the time and place of the hearing and a brief summary of
8 its purpose. In addition, at least ten (10) days and not
9 more than fourteen (14) days before the hearing, a copy of
10 the notice shall be sent to each school district trustee
11 residing in the area involved in the hearing;

12

13 (iii) Include in the report to the state
14 committee its determination of the feasibility of
15 consolidation, necessary incentives to encourage voluntary
16 consolidation and obstacles to consolidation. This portion
17 of the report shall also be submitted by the county
18 committee to members of the joint education interim
19 committee;

20

21 (iv) The report shall include the proposed
22 consolidation plan and the following:

23

1 (A) Recommendations on the location of
2 schools, the utilization of existing buildings, allocation
3 of existing indebtedness, the employment of existing
4 personnel and the transportation requirements under the
5 proposed plan for the organization of the reorganized
6 district, together with the time period under which
7 recommendations are to be accomplished;

8

9 (B) A summary of the reasons for the plan;

10

11 (C) A record of all hearings;

12

13 (D) A summary of any anticipated
14 modifications to educational programs caused by
15 reorganization;

16

17 (E) The number of trustees and the manner
18 of trustee selection for a countywide unified school
19 district;

20

21 (F) The proposed time schedule for school
22 district reorganization under the plan;

23

1 (G) The extent to which consolidation may
2 result in a reduction in total federal revenues available
3 to the reorganized district as compared with that available
4 to all existing districts within the county. The report
5 shall include recommendations to minimize the impact of
6 reorganization on the availability of federal revenue; and
7

8 (H) Other reports, records and materials as
9 the county committee or the state committee deems
10 necessary.
11

12 **21-6-303. Powers and duties of state committee.**
13

14 (a) The state committee shall:
15

16 (i) Aid the several county committees in
17 carrying out this article by furnishing state department of
18 education staff assistance as authorized by the state
19 superintendent, and providing plans of procedure,
20 standards, data, maps and other information and services to
21 the county committees as necessary to carry out the
22 purposes of this article;
23

1 (ii) By October 1, 2011, appoint a county
2 committee in any county in which a county committee is not
3 elected as required by this article;

4
5 (iii) By October 1, 2012, develop a plan for the
6 reorganization of the school districts within a county for
7 which a plan has not been submitted in accordance with this
8 article. The plan shall conform to the criteria and
9 procedures specified under W.S. 21-6-302 for implementation
10 on July 1, 2013.

11
12 (b) Within sixty (60) days of the date of receipt,
13 review the submitted plan for reorganization and approve or
14 reject the submitted plan with reasons for rejection and
15 recommendations for making the plan acceptable. A plan
16 shall be rejected only if it fails to comply with the
17 provisions of this article. If a plan is rejected, a
18 county committee may resubmit a modified plan as often as
19 necessary. Upon plan approval, the state committee shall
20 make an order establishing the reorganized, countywide
21 school district according to the approved plan of
22 organization, effective July 1, 2013. The order is the
23 final administrative determination and shall be filed with
24 the county clerk of the appropriate county prior to July 1,

1 2013. The order shall be effective and binding on July 1,
2 2013. The final administrative action of the state
3 committee shall be appealable from the date of filing with
4 the county clerk.

5

6 (c) Upon filing the final administration
7 determination under subsection (b) of this section, the
8 state committee shall report approved plans for
9 consolidation to the joint education interim committee.
10 The committee shall assemble legislation executing
11 necessary statutory modification to implement school
12 district reorganization established under subsection (b) of
13 this section for introduction in the 2014 budget session of
14 the legislature.

15

16 **Section 2.** W.S. 21-6-219(a) is amended to read:

17

18 **21-6-219. Adjustment of state foundation program**
19 **amounts.**

20

21 (a) When two (2) or more districts or parts of
22 districts are organized into a school district and the
23 total fiscal resources of the new school district are less
24 than the combined fiscal resources of the districts the

1 last year before organization, then the state
2 superintendent shall adjust the state foundation
3 ~~entitlement~~ program amount computed under W.S. 21-13-309(p)
4 to compensate for the differences in fiscal resources. The
5 adjustment shall be equal to one hundred percent (100%) of
6 the initial difference, ~~in each of less amounts reimbursed~~
7 under W.S. 21-13-309(m)(v)(E), for the first ~~two (2)~~ fiscal
8 ~~years~~ year after the new organization, ~~and~~ fifty percent
9 (50%) of ~~the this~~ initial difference in the ~~third~~ second
10 fiscal year. ~~and twenty five percent (25%) of the initial~~
11 ~~difference in the fourth fiscal year~~ No compensation for
12 differences shall be paid under this subsection if, but for
13 a decrease in ADM as compared to the prior school year, the
14 differences would not have been less than one hundred
15 percent (100%) or fifty percent (50%), as appropriate, of
16 the prior year foundation amount. The adjustment shall also
17 provide reimbursement for expenses incurred by the school
18 districts involved in the new organization. Expenses which
19 are reimbursable shall be determined in accordance with
20 rules adopted by the state superintendent, ~~and~~ shall not
21 exceed one hundred thousand dollars (\$100,000.00). ~~and~~
22 ~~shall be paid in equal amounts over a period not to exceed~~
23 ~~three (3) fiscal years.~~

24

1 **Section 3.** W.S. 21-6-219(b) is repealed.

2

3 **Section 4.** This act is effective July 1, 2011.

4

5 (END)