

HOUSE BILL NO. HB0087

School finance-nonresident attendance.

Sponsored by: Representative(s) Kinner, Northrup and
Sommers and Senator(s) Coe and Rothfuss

A BILL

for

1 AN ACT relating to school finance; modifying provisions
2 relating to part-time student attendance in nonresident
3 school districts; revising annual computation of school
4 district revenues to exclude tuition paid by one district
5 to another district as specified; and providing for an
6 effective date.

7

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

9

10 **Section 1.** W.S. 21-4-502 and 21-13-310(a)(ix) are
11 amended to read:

12

13 **21-4-502. Attendance in another district when**
14 **convenient or desirable; admission of pupils resident in**
15 **other districts; attendance for ADM computations specified.**

1

2 (a) The board of trustees of every school district
3 within the state may provide for the enrollment of any
4 pupil resident therein in a school within another district
5 if the pupil desires to attend the school and if attendance
6 in such other district would be more convenient or is
7 desirable because of services available in the other
8 district. Except as provided under subsection (c) of this
9 section, the district providing for the enrollment of the
10 pupil in a school within another district shall not include
11 the pupil within its average daily membership (ADM) for
12 purposes of the foundation program under W.S. 21-13-309.

13

14 (b) Any district within the state may admit pupils
15 resident in other districts of the state unless the
16 admission overcrowds the classrooms of the admitting
17 district. No district within the state shall be required to
18 admit a pupil who has been suspended or expelled by the
19 board of trustees or designated disciplinarian of any other
20 district located in or outside the state. Except as
21 provided under subsection (c) of this section, the district
22 admitting a pupil under this subsection shall not assess
23 tuition payments upon the district wherein the pupil

1 resides, but shall include the pupil within its average
2 daily membership (ADM) for purposes of determining its
3 foundation program amount under W.S. 21-13-309.

4
5 (c) Any district within the state may allow
6 nonresident pupils to attend to receive a portion of a
7 pupil's education pursuant to an agreement with a resident
8 district. The agreement shall be in writing with a copy
9 kept on file by both districts. The resident district shall
10 include the pupil within its average daily membership (ADM)
11 for purposes of the foundation program under W.S.
12 21-13-309. The nonresident district may assess the resident
13 district tuition for the classes the pupil attends. The
14 tuition shall be equal to or less than the nonresident per
15 ADM amount prorated to reflect the number of classes
16 attended by the pupil. This subsection shall not apply if a
17 pupil enrolls full-time in a nonresident district pursuant
18 to subsections (a) and (b) of this section.

19
20 **21-13-310. Annual computation of district revenues.**

21
22 (a) To ensure revenues available to each district are
23 uniformly sufficient to enable compliance with the uniform

1 standards for educational programs prescribed under W.S.
2 21-9-101 and 21-9-102 and to secure state board
3 accreditation of educational programs under W.S.
4 21-2-304(a)(ii), the revenues specified under this
5 subsection shall be deemed state revenues and shall be
6 considered in determining the amount to be distributed to
7 each district under W.S. 21-13-311. A district shall make
8 an annual computation of the following revenues:

9
10 (ix) The amount of tuition paid to the district
11 during the previous school year, including any amount
12 charged under W.S. 21-4-501 and any amount assessed in
13 excess of the costs incurred for adult education programs,
14 summer school programs, programs provided under an
15 agreement for cooperative educational programs under W.S.
16 21-20-101 through 21-20-111 and any amount assessed for
17 programs and services for children with disabilities, but
18 excluding any tuition assessed by a district for the
19 provision of distance education programs to participating
20 nonresident students pursuant to W.S. 21-13-330, any
21 tuition assessed by a district for the provision of part-
22 time educational programs to participating nonresident
23 students pursuant to W.S. 21-4-502(c), any revenues

1 received by a district from post secondary education option
2 programs provided under W.S. 21-20-201 or for the provision
3 of educational programs to a nonresident student placed in
4 a juvenile detention facility pursuant to an agreement with
5 the student's resident school district;

6

7 **Section 2.** This act is effective July 1, 2016.

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9

(END)