

HOUSE BILL NO. HB0039

Education-resident tuition reimbursement.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to resident tuition reimbursement for K-12
2 public schools; modifying payment for resident students to
3 attend school out of state as specified; making conforming
4 amendments; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 21-4-504, 21-4-505(a) and
9 21-13-309(m) (v) (E) (V) are amended to read:

10

11 **21-4-504. Cost of maintaining pupil attending school**
12 **outside district of residence.**

13

14 A school district admitting a pupil from a nonunified
15 school district in the state under W.S. 21-4-501 or
16 providing for the enrollment of a pupil in a school within

1 a school district in another state under W.S. 21-4-505
2 shall, in accordance with rules and regulations of the
3 state department, be reimbursed from the school foundation
4 program account for expenditures for maintaining that pupil
5 in the admitting district for any length of time the pupil
6 is required to reside in the admitting district.
7 Reimbursement under this subsection shall be subject to and
8 reported in accordance with rule and regulation of the
9 state department and shall be administered as if the
10 district's total foundation program amount computed under
11 W.S. 21-13-309(p) is increased by the amount of the
12 expenditure for maintenance during the preceding year for a
13 school district admitting a pupil from a nonunified school
14 district in the state under W.S. 21-4-501 and in the
15 current school year for pupils attending a school in
16 another state under W.S. 21-4-505.

17

18 **21-4-505. Payment of tuition for pupil attending**
19 **school in another state; admission of out-of-state pupils.**

20

21 (a) Whenever it shall appear to the board of trustees
22 of any school district within the state that instruction
23 for any pupil residing in the district can be more

1 advantageously or economically furnished by a public school
2 maintained by another state, the board of trustees of such
3 Wyoming district may enter into an agreement for the
4 instruction of such pupils at rates of tuition specified in
5 the agreement. The Wyoming district shall be reimbursed for
6 the full amount of tuition assessed by the out of state
7 district ~~from the school foundation program account~~
8 ~~administered as if the district's total foundation program~~
9 ~~amount computed under W.S. 21-13-309 for that year was~~
10 ~~increased by the amount of the tuition paid during the~~
11 ~~preceding~~ current school year. subject to the following:

12
13 (i) Effective school year 2017-2018 and each
14 year thereafter, the Wyoming school district shall submit a
15 report to the department of education in the manner and
16 form and at times specified by department rule and
17 regulation, documenting the number of pupils attending a
18 public school maintained by another state and verifying
19 payments to such districts for educational services;

20
21 (ii) From amounts appropriated by the
22 legislature from the public school foundation program
23 account for purposes of this subsection, the department of

1 education shall distribute payments to eligible districts
2 in accordance with this subsection on or before May 15 of
3 the applicable school year, together with the district's
4 foundation payment under W.S. 21-13-313(c), if applicable;

5
6 (iii) The district shall not include a pupil
7 attending a school within an out of state school district
8 within its average daily membership (ADM) for purposes of
9 computing its foundation program amount under W.S.
10 21-13-309.

11
12 **21-13-309. Determination of amount to be included in**
13 **foundation program for each district.**

14
15 (m) In determining the amount to be included in the
16 foundation program for each district, the state
17 superintendent shall:

18
19 (v) Based upon ADM computations and identified
20 school configurations within each district pursuant to
21 paragraph (iv) of this subsection, compute the foundation
22 program amount for each district as prescribed by the
23 education resource block grant model adopted by the Wyoming

1 legislature as defined under W.S. 21-13-101(a)(xiv), as
2 contained within the spreadsheets and accompanying reports
3 referenced under W.S. 21-13-101(a)(xvii), on file with the
4 secretary of state and maintained by the state
5 superintendent pursuant to W.S. 21-2-202(e). The following
6 criteria shall be used by the state superintendent in the
7 administration of the education resource block grant model:
8

9 (E) Amounts computed under the education
10 resource block grant model for each school district based
11 upon amounts generated by each school within the district
12 and based upon amounts generated at the district level for
13 that district within the block grant model, shall be
14 adjusted by adding the following amounts:
15

16 (V) An amount for any tuition and
17 maintenance payments made by the district pursuant to W.S.
18 21-4-501(d) 7 and 21-4-504. ~~and 21-4-505(a).~~
19

20 **Section 2.** Notwithstanding any other provision of
21 law, for school year 2016-2017 only, amounts payable to a
22 school district pursuant to W.S. 21-4-505 for resident
23 students attending an out of state public school shall,

1 upon the request of the school district, be paid by the
2 Wyoming department of education no later than thirty (30)
3 days after request for reimbursement. Any request for
4 reimbursement by a school district under this section shall
5 be made in the manner and form required by the department.
6 Payment under this section shall be made no later than June
7 30, 2017 for expenses incurred during school year
8 2016-2017.

9

10 **Section 3.** This act is effective immediately upon
11 completion of all acts necessary for a bill to become law
12 as provided by Article 4, Section 8 of the Wyoming
13 Constitution.

14

15 (END)