

## HOUSE BILL NO. HB0031

BOCES as local education agencies.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to education; authorizing a board of  
2 cooperative educational services to act as a local  
3 education agency for the purpose of applying for and  
4 receiving state and federal grants; authorizing rulemaking;  
5 making conforming amendments; and providing for an  
6 effective date.

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

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10 **Section 1.** W.S. 21-20-112 is created to read:

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12 **21-20-112. Authority to act as a local education**  
13 **agency.**

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15 (a) Any board of cooperative educational services  
16 authorized to operate pursuant to W.S. 21-20-102 may act as

1 a local education agency for participating school districts  
2 that choose to apply for, receive or administer a grant  
3 through a grant program created by a federal or state  
4 statute or program. The provisions of this section shall  
5 not apply to federal formula grant moneys unless allowed by  
6 the "Elementary and Secondary Education Act of 1965", P.L.  
7 89-10.

8  
9 (b) A board of cooperative educational services  
10 authorized to operate pursuant to W.S. 21-20-102 may apply  
11 for federal or state moneys only with the approval of two  
12 (2) or more of the participating districts that have  
13 expressly agreed to participate in a grant application  
14 through votes of the boards of trustees of the districts.  
15 If a board of cooperative educational services applies for  
16 state or federal grant moneys on behalf of participating  
17 districts, the participating districts are not eligible to  
18 apply for the same state or federal grant moneys. If a  
19 participating district does not elect to participate in a  
20 grant application, that district is not precluded from  
21 applying for the same state or federal grant moneys as an  
22 individual district.

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1           (c) The department of education shall treat boards of  
2 cooperative educational services as local education  
3 agencies for purposes of this section only and allow them  
4 to apply for all federal and state grant moneys for which  
5 they are eligible.

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7           (d) State agencies may inform boards of cooperative  
8 educational services of federal and state grant moneys for  
9 which they may apply.

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11           (e) An eligible grantee or consortium of grantees may  
12 designate a board of cooperative educational services as  
13 the fiscal manager for a state or federal grant. The  
14 grantee or consortium of grantees remains responsible for  
15 ensuring that all the requirements of the grant are met.

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17           (f) The department of education may promulgate rules  
18 to establish processes and guidelines for a board of  
19 cooperative educational services to apply for state or  
20 federal grant moneys pursuant to this section.

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22           **Section 2.** W.S. 21-20-103(a)(iv) is amended to read:

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1            21-20-103.    Definitions.

2

3 (a) As used in this act:

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5 (iv) "This act" means W.S. 21-20-101 through

6 ~~21-20-111~~ 21-20-112.

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

12

13 ( END )