

ENROLLED ACT NO. 48, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

AN ACT relating to school district audits; modifying sanctions imposed upon districts failing to provide required school data and reports; specifying a closure date for adjustment of school district fiscal information for school foundation program computation purposes; providing an appropriation and authorizing additional positions; and providing for an effective date.

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

Section 1. W.S. 21-2-203(e) (intro), (ii) (intro) and (A) and 21-13-313(c) are amended to read:

21-2-203. School district data collection; division established; duties and responsibilities specified; data advisory committee; school district compliance.

(e) On and after July 1, ~~2000~~2005, the following shall apply:

(ii) If a district superintendent fails to provide data or reports in compliance with law or rules regarding timeliness, format, completeness or accuracy, without good cause, the state superintendent ~~may then take any action authorized under this paragraph. In determining what action is appropriate, the state superintendent shall consider the severity of the noncompliance, the circumstances under which it occurred, and whether there have been prior instances of noncompliance by the same district superintendent under this section~~ shall:

(A) Advise the district's board of trustees of the noncompliance and require the district's board to submit a plan to correct the noncompliance and prevent future instances of noncompliance.†

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21-13-313. Distribution of funds from foundation account; property tax and cash reserve adjustment; regulations.

(c) One-third (1/3) of each district's entitlement shall be paid to the district on August 15 of each year. Subject to any recalculation under W.S. 21-13-309(q) and adjustment under subsections (d) and (e) of this section, on or about the fifteenth day of October and February, the balance of the entitlements shall be distributed in equal payments. If, after March 1 and before April 1, the state superintendent determines that the entitlement paid to a district for that school year is not accurate, the state superintendent shall make additional payments to or require payments from that district as necessary to correct the inaccuracy as soon as practicable. After March 31 of any school year, the state superintendent shall not adjust any district's entitlement or fiscal information used to compute a district's entitlement for that school year, and the entitlement or fiscal information shall only be adjusted thereafter in accordance with audit review pursuant to W.S. 9-1-513.

Section 2. W.S. 21-2-203(e)(ii)(B) and (C) is repealed.

Section 3. For the period commencing July 1, 2005, and ending June 30, 2006, two hundred ninety-two thousand three hundred thirty-eight dollars (\$292,338.00) is appropriated from the general fund to the department of audit for the administration of W.S. 9-1-513. In addition and for this purpose, the department is authorized four (4) additional full-time positions. The appropriation and positions authorized in this act shall be reduced by any positions and any amount of funding for K-12 public school

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auditors provided in general session 2005 Senate File 1, as enacted into law.

Section 4. This act is effective July 1, 2005.

(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