

**WORKING DRAFT**

HOUSE BILL NO. \_\_\_\_\_

School finance-distance education programs.

Sponsored by: HDRAFT

A BILL

for

1 AN ACT relating to school finance; providing resources  
 2 within the education resource block grant model for  
 3 distance education programs; imposing criteria and  
 4 assigning responsibility to the school district of  
 5 residence; repealing distance learning incentive; requiring  
 6 the department of education to report on program delivery;  
 7 and providing for an effective date.

8

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

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11 **Section 1.** W.S. 21-13-101(a) by creating a new  
 12 paragraph (xix) and 21-13-309(m)(v) by creating a new  
 13 subparagraph (H) are amended to read:

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1           **21-13-101. Definitions.**

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3           (a) As used in this article:

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5                   (xix) "Distance education" means a formal  
6 education process in which the major portion of instruction  
7 occurs when the student and the instructor are not in the  
8 same place at the same time through any media including  
9 printed materials, videotapes, audio recordings,  
10 facsimiles, telephone communications, internet  
11 communications through email and web-based delivery  
12 systems. Any out-of-state provider providing distance  
13 education in Wyoming shall be licensed to operate in this  
14 state under W.S. 21-2-401 through 21-2-407.

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16           **21-13-309. Determination of amount to be included in**  
17 **foundation program for each district.**

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19           (m) In determining the amount to be included in the  
20 foundation program for each district, the state  
21 superintendent shall:

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23                   (v) Based upon ADM computations and identified  
24 school configurations within each district pursuant to

1 paragraph (iv) of this subsection, compute the foundation  
2 program amount for each district as prescribed by the  
3 education resource block grant model adopted by the Wyoming  
4 legislature as defined under W.S. 21-13-103(a)(xiv), as  
5 contained within the spreadsheets and accompanying reports  
6 referenced under W.S. 21-13-103(a)(xvii) and (xviii) and on  
7 file with the secretary of state pursuant to W.S.  
8 21-13-103(c). The following criteria shall be used by the  
9 state superintendent in the administration of the education  
10 resource block grant model:

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12 (H) District ADM receiving distance  
13 education and qualifying for inclusion within a district's  
14 ADM count under the education resource block grant model  
15 pursuant to paragraph (iv) of this subsection shall be:

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17 (I) Counted as the ADM of the district  
18 in which the student resides, regardless of the origination  
19 of the district providing the distance education  
20 instruction for the student;

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22 (II) Assigned and attached to that  
23 school offering the appropriate grade level instruction

1 within the district which is located nearest to the address  
2 or location of the student's residence;

3  
4 (III) Prorated at less than full-time  
5 ADM if distance education is less than the full-time  
6 minimum instruction contact-hours established by the state  
7 board of education as equivalent to the minimum school year  
8 requirements for regular instruction, which may be combined  
9 with any regular school attendance to result in a larger  
10 fractional ADM or up to but not to exceed one (1.0) ADM, as  
11 appropriate;

12  
13 (IV) Assigned a teacher who is  
14 certified in this state and is assigned by the resident  
15 district to develop the student's individual learning plan,  
16 periodically monitor student progress as measured by the  
17 individual learning plan and to administer required student  
18 assessments;

19  
20 (V) Recorded and maintained within the  
21 resident district's permanent student data system including  
22 attendance, assessments and other evaluation data,  
23 immunization records and other information required by the  
24 district;

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(VI) Subject to other criteria imposed  
by rule and regulation of the state superintendent.

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**Section 2.** W.S. 21-13-330 is repealed.

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**Section 3.**

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(a) The department of education shall evaluate and review the delivery of distance education under this act and shall report results of this evaluation and review to the joint education interim committee by November 1, 2007, including recommendations on the following:

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(i) The role of the department in the delivery of distance education programs;

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(ii) Funding mechanisms necessary for meeting requirements of distance education program delivery.

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**Section 4.** This act is effective July 1, 2007.

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(END)