STATE OF WYOMING

HOUSE BILL NO. HB0192

School finance-ELL programs.

Sponsored by: Representative(s) Gingery and Petroff

A BILL

for

1 AN ACT relating to school finance; establishing

2 supplemental financial assistance for schools serving large

3 concentrations of students with limited english

4 proficiency; delegating duties to the department of

5 education; granting rulemaking authority; providing an

6 appropriation; and providing for effective dates.

7

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

9

10   **Section 1.** W.S. 21-13-336 is created to read:

11

12   **21-13-336. Supplemental financial assistance for**

13 **schools serving students identified with limited English**

14 **proficiency.**

15

16   (a) Supplemental financial assistance for programs

17 addressing the needs of children identified with limited

1   proficiency in English is established to augment resources

2   within the education resource block grant model for

3   programs serving at-risk student populations. Supplemental

4   assistance under this section shall be for school districts

5   with schools located in the district which serve

6   significantly large concentrations of children identified

7   with limited proficiency in English.

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9   (b) Each school district with at least one (1) school

10   located within the district having a concentration of ten

11   percent (10%) or greater of identified student populations

12   with limited English proficiency, as computed in the school

13   year immediately preceding the date of application, may

14   apply to the department of education for financial

15   assistance under this section. Application shall be

16   submitted by the district to the department on or before

17   April 15 of the school year immediately preceding the

18   school year for which financial assistance is requested,

19   documenting those schools within the district having

20   concentrated populations required under this section and

21   including a plan for expenditure of grant amounts for

22   teachers certified to provide instruction in programs

23   serving the identified limited English proficient student

24   population.

1

2   (c) The department shall notify each district of its

3   eligibility to participate in the financial assistance

4   program on or before May 1 of the school year preceding the

5   school year for which application is made, together with

6   any estimated amount to be made available to the district

7   for the applicable school year.   The department shall

8   distribute assistance to each eligible district on or

9   before August 15 of the applicable school year for which

10   assistance is requested.

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12   (d) Financial assistance under this section shall be

13   based   upon   prior   year   school   level   attendance   and

14   configuration reports submitted by each eligible school

15   district pursuant to W.S. 21-13-309(m)(iv). Grant amounts

16   shall be computed by the department for the eligible

17   applicant district as if the education resource block grant

18   model contained the following component for ELL (English

19   language learner) students in addition to the component

20   amount resourced for ELL students within the block grant

21   model, prorated up and down from the specified FTE position

22   level   similar   to   computational   operation   of   other

23   components within the block grant model:

24

1   (i) One (1) FTE position for every one hundred

2   (100) ELL students;

3

4   (ii) "FTE" as used in this section shall be as

5   defined   in   ATTACHMENT   "A"   pursuant   to   W.S.

6   21-13-101(a)(xvii).

7

8   (e) Financial assistance to each qualifying applicant

9   school district shall be made by the department from

10   amounts appropriated by the legislature to the foundation

11   program account for purposes of the program established by

12   this section and shall be in addition to the foundation

13   program amount computed for that district under W.S.

14   21-13-309(p).   If there is an insufficient amount within

15   the foundation program account from amounts appropriated by

16   the legislature for financial assistance under this section

17   for any school year, the department shall make a pro rata

18   reduction in financial assistance payments among all

19   qualifying districts for that school year.   District

20   expenditures of amounts distributed under this section

21   shall be solely for teachers certified in instruction for

22   programs serving limited English proficient student

23   populations as identified in the application submitted by

24   the district under subsection (b) of this section.   The

1 department may withhold a portion or the entire amount to

2 be distributed to any district under this section for

3 noncompliance with program documentation required to be

4 submitted by the applicant district.

5

6   (f) Prior to June 30 of the school year for which a

7 grant is awarded under this section, each recipient

8 district shall report to the department of education on

9 expenditures of amounts distributed under this section

10 together with additional information required by the

11 department. The department shall compile the information

12 reported by recipient districts and submit the compilation

13 to the joint education interim committee.

14

15   **Section 2.** For the period commencing July 1, 2011,

16 and ending June 30, 2012, one million one hundred thousand

17 dollars ($1,100,000.00) is appropriated from the school

18 foundation program account to the department of education

19 for supplemental assistance established under W.S.

20 21-13-336, as created by section 1 of this act.

21

22   **Section 3.** The department of education shall

23 promulgate rules and regulations in sufficient time to

1   implement W.S. 21-13-336(b) and (c) as created by section 1

2   of this act for school year 2011-2012.

3

4   **Section 4.**

5

6   (a) Except as provided by subsection (b) of this

7   section, this act is effective July 1, 2011.

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9   (b) Notwithstanding subsection (a) of this section,

10 section 3 of 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)