

SENATE FILE NO. SF0050

Charter school amendments.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to charter schools; authorizing charter
2 schools as local education agencies to receive and apply
3 for federal and state grants; modifying charter school
4 application requirements; modifying charter school funding;
5 modifying reporting requirements; making conforming
6 amendments; repealing provisions; and providing for an
7 effective date.

8

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

10

11 **Section 1.** W.S. 21-3-315 is created to read:

12

13 **21-3-315. Authority to act as a local education**
14 **agency.**

15

1 (a) Any charter school authorized to operate under
2 this article may act as a local education agency to apply
3 for, receive or administer a grant through a grant program
4 created by a federal or state statute or program.

5

6 (b) For charter schools electing to operate as a
7 local education agency as authorized under subsection (a)
8 of this section:

9

10 (i) The department of education shall treat the
11 charter school as a local education agency and allow it to
12 apply for all federal and state grant moneys for which it
13 may be eligible;

14

15 (ii) The charter school shall be responsible for
16 identifying, evaluating and offering programs and services
17 for students with disabilities, as identified under the
18 federal Individuals with Disabilities Education Act, 20
19 U.S.C. § 1400 et. seq., enrolled in the charter school.

20

21 **Section 2.** W.S. 21-3-307(a)(xix) and (d), 21-3-312
22 and 21-3-314(c)(i)(intro), by creating a new paragraph (iv)

1 and (f) by creating a new paragraph (iv) are amended to
2 read:

3

4 **21-3-307. Charter application; contents; phased-in**
5 **application process.**

6

7 (a) The charter school application shall be on a form
8 prescribed by the state superintendent pursuant to
9 subsection (d) of this section, and shall include:

10

11 (xix) ~~An~~ A proposed agreement or summary of a
12 proposed agreement between the ~~parties~~ authorizer and the
13 charter school governing board and, if applicable, the
14 district regarding their respective legal liability and
15 applicable insurance coverage;

16

17 (d) The state superintendent shall through rule and
18 regulation prescribe a uniform charter school application
19 and renewal application form to be used by each authorizer
20 and charter school applicant for purposes of this article,
21 and shall establish charter school application review
22 procedures, including timelines for application components
23 specified under subsection (a) of this section. The phased

1 application process prescribed by state superintendent rule
2 and regulation may provide a process for mediation of
3 disputes concerning completeness of an application between
4 the applicant and authorizer, which would be subject to
5 W.S. 1-43-101 through 1-43-104, would allow either party to
6 initiate mediation and would impose costs of mediation
7 equally upon both parties. Any mediation process
8 prescribed by rule shall specify professional requirements
9 for the impartial third party facilitating mediation. If
10 either party refuses to mediate, the dispute may be
11 appealed to the state board. ~~as provided in W.S. 21-3-310.~~

12

13 **21-3-312. Charter schools to report to state board.**

14

15 Each ~~authorizer granting a charter~~ school operating in
16 Wyoming pursuant to this article shall annually report to
17 the state board on ~~each charter school operating under its~~
18 ~~authorization and compliance with the provisions~~ the
19 progress of the charter school in advancing the purposes
20 specified in W.S. 21-3-301. The report required under this
21 section shall include the charter school's mission, model,
22 curriculum, student learning results and any waivers
23 granted from school district requirements or state

1 statutory requirements or rules under W.S. 21-3-304(g),
2 together with the impact of those waivers.

3

4 **21-3-314. Students counted among district ADM;**
5 **determination of charter school funding.**

6

7 (c) As part of the charter school contract, the
8 charter school and the school district shall agree on
9 funding and any services to be provided by the school
10 district to the charter school. The charter school and the
11 school district shall begin discussions on the contract
12 using the following revenue assumptions:

13

14 (i) The charter school shall be entitled to the
15 benefit of one hundred percent (100%) of the foundation
16 program amount computed under W.S. 21-13-309(m) based upon
17 the average daily membership of the charter school, less
18 any district level amounts generated by the charter
19 school's membership under W.S. 21-13-309(m) and less
20 amounts specified under W.S. ~~21-13-309(m)(v)(E)~~
21 21-13-309(m)(v)(E)(III) through (V).

22

1 (iv) The charter school shall be entitled to one
2 hundred percent (100%) of the amount expended by the
3 charter school that is eligible for reimbursement under
4 W.S. 21-13-320 and 21-13-321 as computed under W.S.
5 21-13-309(m).

6
7 (f) If a charter school or full-time virtual charter
8 school authorized by the state loan and investment board
9 and the school district where the charter school is located
10 do not agree on funding pursuant to subsections (a) through
11 (e) of this section then, notwithstanding subsection (c) of
12 this section or any other provision of law, funding for the
13 charter school shall be calculated as provided in this
14 subsection. Nothing in this subsection shall be deemed to
15 prohibit a charter school and the school district from
16 negotiating an agreement for charter school students to
17 receive services from the district. Funding for the charter
18 school shall be calculated as follows:

19
20 (iv) The charter school or full-time virtual
21 charter school shall be entitled to one hundred percent
22 (100%) of the amount expended by the charter school that is

1 eligible for reimbursement under W.S. 21-13-320 and
2 21-13-321 as computed under W.S. 21-13-309(m).

3

4 **Section 3.** W.S. 21-3-314(a)(i)(C) and (iii) and
5 (c)(iii) is repealed.

6

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

11

12

(END)