

HOUSE BILL NO. HB0041

Court ordered placements-age restrictions.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to education; amending age restrictions
2 related to court ordered placements; inserting missing
3 cross references; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 21-13-315(a)(intro), (d)(intro), (f)
8 and (k) is amended to read:

9

10 **21-13-315. Costs of court ordered placement of**
11 **children in private residential treatment facilities, group**
12 **homes, day treatment programs and juvenile detention**
13 **facilities.**

14

15 (a) The department of family services shall establish
16 an account to pay residential and treatment costs excluding

1 educational and medical costs of court ordered placements
2 of children in private residential treatment facilities and
3 group homes located in Wyoming. Programs providing
4 education services including programs for children with
5 disabilities provided by a board of cooperative educational
6 services, shall bill the department of education directly
7 for educational costs of court ordered placements. In
8 addition, costs of all services provided pursuant to a
9 student's individualized education ~~plan (IEP)~~ program,
10 including special education services, related services and
11 supplementary aids and services for children with
12 disabilities and costs of education assessment for other
13 children incurred as a result of court order prior to any
14 placement, shall be billed directly to the department of
15 education. The department of family services shall
16 promulgate reasonable rules and regulations to provide
17 procedures for implementing subsection (m) of this section.
18 If the court rejects an in-state placement recommendation
19 of the predisposition report or multidisciplinary team
20 under W.S. 14-6-227 or 14-6-427, the court shall enter on
21 the record specific findings of fact relied upon to support
22 its decision to deviate from the recommended disposition.
23 No court shall order an out-of-state placement unless:

1

2 (d) If a placement of a child is to be made and
3 funded under this section, the predisposition study
4 required by W.S. 14-6-227 or 14-6-427 shall include:

5

6 (f) Only group homes and residential treatment
7 facilities certified by the department of family services
8 are eligible to receive funding for residential and
9 treatment services under this section. Costs for education
10 services shall be paid by the department of education under
11 this section only if the educational program of the group
12 home or residential treatment facility or the program
13 provided by the board of cooperative educational services
14 meets the standards of subsection (b) of this section and
15 has been approved by the department. The department of
16 family services and the department of education shall
17 provide the courts with a list of approved facilities and
18 services. The court shall determine the parents' or the
19 guardian's contribution to the court ordered placement for
20 all costs excluding necessary education costs based on the
21 parents' or guardian's ability to pay as provided by W.S.
22 14-6-236 or 14-6-435.

23

1 (k) Except as otherwise provided by law, this section
2 applies to children who are at least ~~six (6)~~ five (5) years
3 of age as of September 15 of the applicable school year but
4 who are under ~~eighteen (18)~~ twenty-one (21) years of age.

5

6 **Section 2.** This act is effective July 1, 2017.

7

8

(END)