

HOUSE BILL NO. HB0063

Early childhood education.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to early childhood education; providing
2 that the department of education and the department of
3 family services shall administer early childhood education
4 services; transferring specified early childhood education
5 programs, functions and positions; requiring reports;
6 making conforming statutory changes; requiring formation of
7 a working group; authorizing rulemaking; repealing a
8 conflicting provision; and providing for effective dates.

9

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

11

12 **Section 1.**

13

14 (a) On July 1, 2022, the functions within the
15 department of health and department of workforce services
16 that administer early childhood education programs shall be

1 transferred to the department of education and the
2 department of family services. Early childhood education
3 programs transferred to the department of education shall
4 include educational services for children with
5 developmental disabilities administered by the department
6 of health including the Individuals with Disabilities
7 Education Act (IDEA) part C, early intervention, and part B
8 section 619, preschool and any department of workforce
9 service programs that coordinate the work of early
10 childhood education programs in the state. The programs
11 transferred to the department of family services shall
12 include Wyoming quality counts administered by the
13 department of workforce services and home visiting programs
14 within the public health division administered by the
15 department of health, provided that no positions,
16 personnel, property or equipment associated with the home
17 visiting programs shall be transferred from the department
18 of health under this section. All positions, personnel,
19 property, equipment and authority in programs transferred
20 to the department of education or the department of family
21 services by this act shall be under the control of the
22 department of education or the department of family
23 services.

1

2 (b) Notwithstanding any conflicting provision of law,
3 on July 1, 2022, the governor shall transfer to the
4 department of education and the department of family
5 services those positions, personnel, property and equipment
6 within the department of health and the department of
7 workforce services as necessary to implement the provisions
8 of this act. The department of education, department of
9 health, department of family services and department of
10 workforce services shall work collaboratively to develop
11 recommendations to the governor regarding which positions,
12 personnel, property and equipment shall be transferred to
13 implement this act.

14

15 (c) The department of education, department of health,
16 department of family services and department of workforce
17 services shall work collaboratively to develop appropriate
18 budget requests for the 2023-2024 biennial budget that
19 reflect the transfer of positions, personnel, property,
20 equipment and authority mandated by this act.

21

22 (d) The department of education, department of
23 health, department of family services and department of

1 workforce services shall report at least every three (3)
2 months to the joint education interim committee on:

3

4 (i) Any statutory amendments, rule and
5 procedural amendments and other regulatory amendments
6 necessary to further implement the transfer of programs and
7 functions as required by this act for enactment or adoption
8 prior to July 1, 2022; and

9

10 (ii) Any other issues or factors relevant to the
11 transfer of programs and functions as required by this act.

12

13 (e) The state superintendent shall convene a working
14 group comprised of stakeholders from the regional
15 developmental preschool system, stakeholders from other
16 early childhood education providers, representatives from
17 the department of health, the department of workforce
18 services and the department of family services to assure
19 the successful transition and change in governance related
20 to developmental preschools. The report under subsection
21 (d) of this section shall specifically include any issues
22 or findings identified by the working group related to
23 developmental preschools under this subsection.

1

2 (f) The joint education interim committee shall
3 consider the reports it receives under this section, along
4 with early childhood education stakeholder input, and
5 develop legislation it deems appropriate for consideration
6 by the legislature during the 2022 budget session.

7

8 (g) The validity of any rule, regulation, contract,
9 agreement or other obligation relating to early childhood
10 education is not affected by this act through June 30,
11 2022.

12

13 (h) The department of education shall report to the
14 joint education interim committee not later than October 1
15 of each year beginning in 2023 and ending in 2027 on early
16 childhood education programs transferred to the department
17 of education under this section. The report shall include:

18

19 (i) Information on the number of formal
20 complaints filed related to early childhood education
21 programs;

22

1 (ii) An annual update on the number of students
2 first identified as having a disability in kindergarten;

3

4 (iii) The number of services provided in high
5 needs student categories, reported by region.

6

7 **Section 2.** W.S. 14-3-204(a)(ix), 14-3-427(d)(v),
8 14-6-227(d)(v), 21-2-202(a) by creating a new paragraph
9 (xl), 21-2-701(a)(i), 21-2-705(d) and 35-1-622(b) are
10 amended to read:

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12 **14-3-204. Duties of local child protective agency.**

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14 (a) The local child protective agency shall:

15

16 (ix) Refer a child receiving department services
17 who is under the age of six (6) years to the department of
18 ~~health, division of~~ education's developmental disabilities
19 preschool program for educational and developmental
20 screening and assessment; and

21

22 **14-3-427. Predisposition studies and reports.**

23

1 (d) In addition to the persons listed in subsection
2 (c) of this section, the court may appoint one (1) or more
3 of the following persons to the multidisciplinary team:

4

5 (v) If the predispositional study indicates a
6 parent or child has special needs, an appropriate
7 representative of the department of health's substance
8 abuse, mental health or developmental disabilities division
9 or department of education's developmental disabilities
10 preschool program who has knowledge of the services
11 available in the state's system of care that are pertinent
12 to those identified needs;

13

14 **14-6-227. Predisposition studies and reports.**

15

16 (d) In addition to the persons listed in subsection
17 (c) of this section, the court may appoint one (1) or more
18 of the following persons to the multidisciplinary team:

19

20 (v) If the predispositional study indicates a
21 parent or child has special needs, an appropriate
22 representative of the department of health's substance
23 abuse, mental health or developmental disabilities division

1 or department of education's developmental disabilities
2 preschool program who has knowledge of the services
3 available in the state's system of care that are pertinent
4 to those identified needs;

5

6 **21-2-202. Duties of the state superintendent.**

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8 (a) In addition to any other duties assigned by law,
9 the state superintendent shall:

10

11 (x1) Be the state authority for early childhood
12 education programs. The state superintendent shall:

13

14 (A) Administer all early childhood
15 education programs overseen by the state;

16

17 (B) To the extent permissible under federal
18 law, administer early childhood education funding programs
19 and coordinate early childhood education programs and
20 funding with the goal of improving the quality of early
21 childhood education in the state;

22

1 (C) Facilitate attainment of the goals of
2 the state's public school system through effective
3 implementation of early childhood education programs;

4
5 (D) Provide a comprehensive network of
6 programs and facilities to educate preschool children with
7 developmental disabilities;

8
9 (E) Establish minimum standards and approve
10 policies and procedures for programs and facilities
11 receiving state funds that educate preschool children with
12 developmental disabilities and other early childhood
13 education programs receiving state funds;

14
15 (F) Create a division or section within the
16 department to assist in the administration of
17 responsibilities under this paragraph;

18
19 (G) Contract with community boards, public
20 agencies and private agencies to purchase only those
21 developmental preschool services funded by the legislature.

22
23 **21-2-701. Definitions.**

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2 (a) As used in this act:

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4 (i) "Division" means a division or section ~~as~~
5 within the department of education or department of family
6 services that is assigned responsibilities for programs ~~of~~
7 for children with developmental disabilities, ~~department of~~
8 health or early education grant programs;

9

10 **21-2-705. Fund allocation.**

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12 (d) All funds received by the state from the federal
13 government pursuant to section 619(c) and reserved by the
14 state pursuant to section 619(f) of the federal Individuals
15 with Disabilities Education Act shall be distributed by the
16 ~~state department of education to the division. To the~~
17 ~~extent not prohibited by federal law, funds distributed~~
18 ~~under this subsection shall be expended in a manner jointly~~
19 ~~determined by the department of education and the~~ division
20 for direct services to children with disabilities eligible
21 for services under federal law.

22

1 **35-1-622. Department; budget requests; purchase of**
2 **service contracts; local match.**

3
4 (b) The department shall contract with community
5 boards, public agencies and private agencies to purchase
6 only those services funded by the legislature on a
7 statewide basis. Funds contracted for under this act,
8 ~~other than funds for developmental preschool services,~~
9 shall not exceed ninety percent (90%) of the total
10 nonfederal expenditures for human services programs by any
11 community board or public agency. ~~For developmental~~
12 ~~preschool services the local match requirement shall be~~
13 ~~three percent (3%).~~

14
15 **Section 3.** W.S. 21-2-703(c) is repealed.

16
17 **Section 4.**

18
19 (a) Except as provided in subsection (b) of this
20 section, this act is effective immediately upon completion
21 of all acts necessary for a bill to become law as provided
22 by Article 4, Section 8 of the Wyoming Constitution.

23

1 (b) Sections 2 and 3 of this act are effective July
2 1, 2022.

3

4

(END)