

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

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 and functions; requiring reports; making
6 conforming statutory changes; authorizing rulemaking;
7 repealing a conflicting provision; and providing for
8 effective dates.

9

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

11

12 **Section 1.**

13

1 (a) On July 1, 2022, the functions within the
2 department of health and department of workforce services
3 that administer early childhood education programs shall be
4 transferred to the department of education and the
5 department of family services. Early childhood education
6 programs transferred to the department of education shall
7 include educational services for children with
8 developmental disabilities administered by the department
9 of health including the Individuals with Disabilities
10 Education Act (IDEA) part C, early intervention, and part B
11 section 619, preschool and any department of workforce
12 service programs that coordinate the work of early
13 childhood education programs in the state. The programs
14 transferred to the department of family services shall
15 include Wyoming quality counts administered by the
16 department of workforce services and home visiting programs
17 within the public health division administered by the
18 department of health. All positions, personnel, property,
19 equipment and authority in programs transferred to the
20 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.

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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:

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

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

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13 (e) The joint education interim committee shall
14 consider the reports it receives under this section, along
15 with early childhood education stakeholder input, and
16 develop legislation it deems appropriate for consideration
17 by the legislature during the 2022 budget session.

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19 (f) The validity of any rule, regulation, contract,
20 agreement or other obligation relating to early childhood
21 education is not affected by this act through June 30,
22 2022.

23

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

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6 **14-3-204. Duties of local child protective agency.**

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8 (a) The local child protective agency shall:

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10 (ix) Refer a child receiving department services
11 who is under the age of six (6) years to the department of
12 ~~health, division of~~ education's developmental disabilities
13 preschool program for educational and developmental
14 screening and assessment; and

15

16 **14-3-427. Predisposition studies and reports.**

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

21

22 (v) If the predispositional study indicates a
23 parent or child has special needs, an appropriate

1 representative of the department of health's substance
2 abuse, mental health or developmental disabilities division
3 or department of education's developmental disabilities
4 preschool program who has knowledge of the services
5 available in the state's system of care that are pertinent
6 to those identified needs;

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8 **14-6-227. Predisposition studies and reports.**

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

13

14 (v) If the predispositional study indicates a
15 parent or child has special needs, an appropriate
16 representative of the department of health's substance
17 abuse, mental health or developmental disabilities division
18 or department of education's developmental disabilities
19 preschool program who has knowledge of the services
20 available in the state's system of care that are pertinent
21 to those identified needs;

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23 **21-2-202. Duties of the state superintendent.**

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

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

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8 (A) Administer all early childhood
9 education programs overseen by the state;

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11 (B) To the extent permissible under federal
12 law, administer early childhood education funding programs
13 and coordinate early childhood education programs and
14 funding with the goal of improving the quality of early
15 childhood education in the state;

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17 (C) Facilitate attainment of the goals of
18 the state's public school system through effective
19 implementation of early childhood education programs;

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21 (D) Provide a comprehensive network of
22 programs and facilities to educate preschool children with
23 developmental disabilities;

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21-2-701. Definitions.

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(a) As used in this act:

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(i) "Division" means a division or section ~~as~~
~~within the department of education or department of family~~
~~services that is~~ assigned responsibilities for programs ~~of~~

1 for children with developmental disabilities, ~~department of~~
2 health or early education grant programs;

3

4 **21-2-705. Fund allocation.**

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

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17 **35-1-622. Department; budget requests; purchase of**
18 **service contracts; local match.**

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20 (b) The department shall contract with community
21 boards, public agencies and private agencies to purchase
22 only those services funded by the legislature on a
23 statewide basis. Funds contracted for under this act,

1 ~~other than funds for developmental preschool services,~~
2 shall not exceed ninety percent (90%) of the total
3 nonfederal expenditures for human services programs by any
4 community board or public agency. ~~For developmental~~
5 ~~preschool services the local match requirement shall be~~
6 ~~three percent (3%).~~

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

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10 **Section 4.**

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

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17 (b) Sections 2 and 3 of this act are effective July
18 1, 2022.

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(END)