

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Modification of charter school resources.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to charter school funding; modifying the
2 computation of charter school average daily membership;
3 modifying funding of charter schools; making conforming
4 amendments; providing for an appropriation; and providing
5 for an effective date.

6

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

8

9 **Section 1.** W.S. 21-3-314(a)(i), (iv) and (v) and 21-
10 13-309(m)(iv)(A) and by creating a new subparagraph (D) are
11 amended to read:

12

1 **21-3-314. Separate charter school ADM; determination**
2 **of charter school funding.**

3
4 (a) Each student attending a charter school shall be
5 counted among the average daily membership of the school
6 district in which the school is located and the school
7 shall be included in the district's configuration of
8 schools reported to the state superintendent under W.S. 21-
9 13-309(m)(iv). Average daily membership of the charter
10 school shall be calculated as follows:

11
12 (i) Notwithstanding W.S. ~~21-13-309(m)(iv)(A)~~ 21-
13 13-309(m)(iv), in the first year of operation, the average
14 daily membership for the charter school shall be based on
15 the following:

16
17 (iv) Notwithstanding W.S. ~~21-13-309(m)(iv)(A)~~
18 21-13-309(m)(iv), in the second and third year of charter
19 school operation, the average daily membership of a charter
20 school shall be based upon the prior school year average
21 daily membership adjusted by the enrollment count taken on
22 October 1 of the applicable school year;

23

1 (v) Notwithstanding W.S. ~~21-13-309(m)(iv)(A)~~ 21-
2 13-309(m)(iv), for any charter school in its fourth or
3 subsequent year of charter school operation and the charter
4 school expands its enrollment to include one (1) or more
5 consecutive grade levels above its current school
6 configuration of grades, the average daily membership for
7 the charter school shall be adjusted by the enrollment
8 count taken on October 1 of the first year of operation
9 under the expanded grade level or levels.

10
11 **21-13-309. Determination of amount to be included in**
12 **foundation program for each district.**

13
14 (m) In determining the amount to be included in the
15 foundation program for each district, the state
16 superintendent shall:

17
18 (iv) Based upon reports from each district on
19 schools operating within that district for the current
20 school year and on grade configurations contained within
21 each reported school during that school year, compute the
22 average daily membership (ADM) for each reported school and

1 each grade within each reported school in accordance with
2 identified grade configurations subject to the following:

3
4 (A) Except as provided under subparagraph
5 (D) of this paragraph, if the district's average ADM for
6 the three (3) immediately preceding school years is greater
7 than the district's ADM from the previous school year, each
8 reported school shall be computed based upon the average of
9 the school's ADM counts completed at the end of the three
10 (3) immediately preceding school years, otherwise each
11 reported school within the district shall be computed based
12 on the school's ADM for the previous school year;

13
14 (D) The ADM computed in subparagraph (A) of
15 this paragraph shall exclude any ADM reported for charter
16 schools authorized under W.S. 21-3-301 et seq. For each
17 charter school authorized under W.S. 21-3-301 et seq.,
18 except as provided under W.S. 21-3-314(a), if a charter
19 school's average ADM for the two (2) immediately preceding
20 school years is greater than the charter school's ADM from
21 the previous school year, each reported school shall be
22 computed based upon the average of the school's ADM counts
23 completed at the end of the two (2) immediately preceding

1 school years, otherwise each reported school shall be
2 computed based on the school's ADM for the previous school
3 year.

4
5 **Section 2.** There is appropriated XXX dollars (\$XXX)
6 from the public school foundation program account to the
7 department of education-school finance for the purpose of
8 making payments to school districts for increased school
9 foundation program amounts attributable to the charter
10 school average daily membership calculation required by
11 this act for the period beginning July 1, 2027 and ending
12 June 30, 2028. This appropriation shall not be transferred
13 or expended for any other purpose and any unexpended,
14 unobligated funds remaining from this appropriation shall
15 revert as provided by law on June 30, 2028.

16
17 **Section 3.** This act is effective July 1, 2027.

18
19 (END)