

CHAPTER 53

PUBLIC EDUCATION-AMENDMENTS-2

Original Senate File No. 83

AN ACT to amend W.S. 21-3-111(a)(xiv), 21-4-401(b), 21-4-502(b) and 21-5-125 relating to public education; restricting transportation or maintenance for isolated pupils as specified; clarifying admission of pupils resident of other districts; specifying requirements for transfer of certain property; and providing for an effective date.

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

Section 1. W.S. 21-3-111(a)(xiv), 21-4-401(b), 21-4-502(b) and 21-5-125 are amended to read:

21-3-111. Powers of boards of trustees.

(a) The board of trustees in each school district within the state may:

(xiv) SUBJECT TO W.S. 21-5-125, convey, with or without consideration, title to real property which is not being used and will not be used by the district to the state or its political subdivisions for public use;

21-4-401. Transportation or maintenance for isolated pupils.

(b) The state board of education may adopt reasonable rules and regulations pertaining to residence requirements establishing eligibility under this section and for provision of tuition and transportation or maintenance. NO PERSON IS ELIGIBLE AS AN ISOLATED PUPIL UNDER THIS SECTION UNLESS THE ABILITY OF THE PUPIL'S PARENTS OR LEGAL GUARDIANS TO EARN A SUBSTANTIAL PORTION OF THE FAMILY INCOME IS DIRECTLY RELATED TO AND ENHANCED BY THE FAMILY RESIDING IN THE ISOLATED LOCATION.

21-4-502. Payment of tuition where attendance in another district is convenient or desirable; admission of pupils resident in other districts.

(b) Any district within the state shall MAY admit pupils resident in other districts of the state, ~~except when such~~ UNLESS THE admission shall ~~overcrowd~~ OVERCROWDS the classrooms of the admitting district. NO DISTRICT WITHIN THE STATE SHALL BE REQUIRED TO ADMIT A PUPIL WHO HAS BEEN SUSPENDED OR EXPELLED BY THE BOARD OF TRUSTEES OF ANY OTHER DISTRICT LOCATED IN OR OUTSIDE THE STATE. The cost of tuition for ~~such~~ A pupil ADMITTED PURSUANT TO THIS SUBSECTION may be paid by the district in which the pupil resides from the funds of ~~such~~ THE district, and shall be at least the actual cost per pupil for operation of the admitting school for the preceding school year; ~~provided, that~~ No district shall be liable for ~~such~~ payment unless it has previously given permission, in writing, to the enrollment of ~~such~~ THE pupil.

21-5-125. Transfer of property of former district. All real and personal property of any district reorganized under this chapter shall be and become the property of the newly organized unified district. All real and personal property shall be transferred or conveyed by operation of law unless otherwise provided in the plan of organization. **HOWEVER ON AND AFTER JULY 1, 1994, REAL PROPERTY WHICH WAS TRANSFERRED IN ACCORDANCE WITH THIS SECTION FROM A THEN EXISTING SCHOOL DISTRICT TO A NEWLY ORGANIZED UNIFIED SCHOOL DISTRICT AND ON WHICH IS LOCATED A STRUCTURE USED AS A SCHOOL WHICH THE DISTRICT HAS CLOSED OR INTENDS TO CLOSE SHALL NOT BE CONVEYED TO ANY OTHER ENTITY UNLESS THE MUNICIPALITY IN WHICH THE PROPERTY IS LOCATED IS FIRST OFFERED A RIGHT OF FIRST REFUSAL ON THE PROPERTY.**

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

Approved March 22, 1994.