

CHAPTER 20

ORIGINAL HOUSE
BILL NO. 0102

ENROLLED ACT NO. 14, HOUSE OF REPRESENTATIVES

FIFTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
1993 GENERAL SESSION

AN ACT to amend W.S. 21-13-315(a), (b) and (f) relating to costs of court placed children; authorizing direct payment of educational costs for children placed in programs provided by boards of cooperative educational services; allowing school districts to count placements among its ADM; and providing for an effective date.

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

Section 1. W.S. 21-13-315(a), (b) and (f) is amended to read:

21-13-315. Costs of court ordered placement of children in private residential treatment facilities and homes.

(a) The department of family services shall establish an account to pay residential and treatment costs excluding educational and medical costs of court ordered placements of children in private residential treatment facilities and group homes located in Wyoming. When all Wyoming private residential treatment facilities and group homes qualified to provide the necessary treatment for a child refuse to accept placement of the child, the court may order placement out of state. Programs providing education services INCLUDING PROGRAMS FOR EXCEPTIONAL CHILDREN PROVIDED BY A BOARD OF COOPERATIVE EDUCATIONAL SERVICES, shall bill the department of education directly for educational costs of court ordered placements. In addition, costs of all related services for handicapped DISABLED children and costs of education assessment for other children incurred as a result of court order prior to any placement, shall be billed directly to the department of education. The department of family services shall promulgate reasonable rules and regulations to provide procedures for implementing subsection (m) of this section.

(b) The department using federal or foundation funds, or both, shall pay for the allowable education costs of juvenile

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and district court ordered placements of children residing in private treatment facilities and group homes where a fee is charged, INCLUDING COURT ORDERED PLACEMENTS IN PROGRAMS FOR EXCEPTIONAL CHILDREN PROVIDED BY A BOARD OF COOPERATIVE EDUCATIONAL SERVICES. NO DISTRICT SHALL RECEIVE FUNDS, EITHER DIRECTLY OR INDIRECTLY, FROM ANY FACILITY OR HOME RECEIVING PAYMENT UNDER THIS SECTION FOR PROVIDING EDUCATION PROGRAMS AND SERVICES TO CHILDREN PLACED AND RESIDING IN THE FACILITY OR HOME, BUT THE DISTRICT MAY COUNT the children shall-not-be counted among the ITS average daily membership, of any district. The department of education shall adopt reasonable rules and regulations prescribing minimum standards and allowable costs for educational program services funded under this section. Minimum standards shall be designed to fit the unique populations of residential centers, group homes, PROGRAMS AND SERVICES PROVIDED BY BOARDS OF COOPERATIVE EDUCATIONAL SERVICES and out of state placement facilities.

(f) Only group homes and residential treatment facilities certified by the department of family services are eligible to receive funding for residential and treatment services under this section. Costs for education services shall be paid by the department of education under this section only if the educational program of the group home or residential treatment facility OR THE PROGRAM PROVIDED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES meets the standards of subsection (b) of this section and has been approved by the department. The department of family services and the department of education shall provide the courts with a list of approved facilities and services. The court shall determine the parents' or the guardian's contribution to the court ordered placement for all costs excluding necessary education costs based on the parents' or guardian's ability to pay as provided by W.S. 14-6-236.

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Section 2. This act is effective July 1, 1993.

(END)

Clayton W. Chamberlain
Speaker of the House

John B. Dwyer
President of the Senate

John A. Sullivan
Governor

TIME APPROVED: 9:10 p.m.

DATE APPROVED: 2/17/93

I hereby certify that this act originated in the House.

Paul J. Jacobs
Chief Clerk

