SENATE FILE NO. SF0143

School finance-funding model amendments.

Sponsored by: Senator(s) Scott, Biteman, Ellis and Salazar
and Representative(s) Simpson

A BILL

for

1 AN ACT relating to school finance; implementing

2 modifications to the Wyoming education resource block grant

3 model and other school finance components; codifying

4 previously uncodified law; amending related provisions;

5 repealing conflicting provisions; requiring a report;

6 requiring a study; and providing for effective dates.

7

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

9

10 **Section 1.** W.S. 21-13-309.1 is created to read:

11

12 **21-13-309.1. Education resource block grant model**

13 **components.**

14

1   (a) This section is intended to specify the education

2 resource block grant model components and computations

3 necessary to execute the 2020 cost of education study as

4 required by W.S. 21-13-309(t) and as adopted and modified

5 by the legislature.

6

7   (b) As used in this section:

8

9   (i) "Block grant model components" includes the

10 following categories:

11

12   (A) The educational materials category of

13 model components which includes the following:

14

15   (I) The   books   and   instructional

16 materials component resourced under paragraph (c)(xxi) of

17 this section;

18

19   (II) The gifted and talented students

20 component resourced under paragraph (c)(xxiii) of this

21 section;

22

1   (III) The   career   and   technical

2   education equipment and materials component resourced under

3   paragraph (c)(xxiv) of this section;

4

5   (IV) The student activities component

6   resourced under paragraph (c)(xxv) of this section;

7

8   (V)   The   professional   development

9   component   resourced   under   paragraph   (c)(xxvi)   of   this

10   section;

11

12   (VI) The central office nonpersonnel

13   resources component resourced under paragraph (c)(xxviii)

14   of this section;

15

16   (VII) The operations and maintenance

17   supplies component resourced under paragraph (c)(xxx) of

18   this section.

19

20   (B) The energy category of model components

21   which includes the utilities component resourced under

22   paragraph (c)(xxxi) of this section;

23

1   (C) The nonprofessional labor category of

2   model components which includes supervisory aides, central

3   office   classified   staff,   school   secretaries,   school

4   clerical staff, maintenance workers, groundskeepers and

5   custodians resourced under paragraph (c)(xxxiii) of this

6   section;

7

8   (D) The professional labor category of

9   model components   which   includes   teachers,   principals,

10   assistant   principals,   superintendents,   assistant

11   superintendents, business managers and school computer

12   technicians resourced under paragraph (c)(xxxiii) of this

13   section.

14

15   (ii) "FTE" means the full-time equivalency basis

16   as computed in accordance with guidelines prescribed by

17   rule of the department of education;

18

19   (iii) "Grade   band"   means   a   school   grade

20   configuration that falls within one (1) of the following

21   configurations:

22

1   (A) An elementary school grade band that

2   includes grades kindergarten (K) through grade six (6) or

3   any combination of those grades;

4

5   (B) A middle school grade band that

6   includes grade five (5) through eight (8) or grade six (6)

7   through grade nine (9) or any combination of grades within

8   those ranges;

9

10   (C) A high school grade band that includes

11   grade eight (8) through grade twelve (12) or any

12   combination of those grades.

13

14   (c) Except as provided in subsection (d) of this

15   section, the Wyoming education resource block grant model

16   components and the resourcing for those components shall be

17   as follows:

18

19   (i) Full day kindergarten. Funded for all

20   elementary schools;

21

1   (ii) Core teachers for schools with ADM greater

2   than forty-nine (49) and schools not designated as

3   alternative schools:

4

5   (A) Elementary school. Calculated as ADM

6   divided by seventeen (17);

7

8   (B) Middle   school.   Calculated   as   ADM

9   divided by twenty-two (22);

10

11   (C) High school. Calculated as ADM divided

12   by twenty-two (22).

13

14   (iii) Specialist teachers for schools with more

15   than forty-nine (49) ADM and schools not designated as

16   alternative schools:

17

18   (A) Elementary school specialist teachers

19   shall be calculated as twenty percent (20%) of the core

20   teachers in subparagraph (ii)(A) of this subsection;

21

1   (B) Middle school specialist teachers shall

2 be calculated as thirty-three percent (33%) of the core

3 teachers in subparagraph (ii)(B) of this subsection;

4

5   (C) High school specialist teachers shall

6 be calculated as thirty-three percent (33%) of the core

7 teachers in subparagraph (ii)(C) of this subsection.

8

9   (iv) Additional vocational education teachers.

10 For schools with more than forty-nine (49) ADM and schools

11 not designated as alternative schools, calculated as the

12 product of each high school's FTE vocational education

13 students   reported   under   W.S.   21-13-309(m)(v)(D)(I)

14 multiplied by twenty-nine hundredths (0.29) then divided by

15 the high school class size of twenty-two (22);

16

17   (v) Small school and alternative school core

18 staff. For schools with forty-nine (49) or less ADM or

19 alternative schools, provide one (1) teacher position for

20 every seven (7) ADM, calculated as total school ADM divided

21 by seven (7). Each school shall receive a minimum of one

22 (1) teacher by increasing the sum of the core staff in this

23 paragraph to one (1) if the total is less than one (1);

1

2   (vi) Minimum teachers:

3

4   (A) The minimum number of teachers for any

5 elementary school with more than forty-nine (49) ADM is six

6 (6), as calculated by increasing the sum of the core

7 teachers in paragraph (ii) of this subsection and

8 specialist teachers in paragraph (iii) of this subsection

9 to six (6). The minimum number of teachers for any middle

10 school with more than forty-nine (49) ADM is eight (8), as

11 calculated by increasing the sum of the core teachers in

12 paragraph (ii) of this subsection and specialist teachers

13 in paragraph (iii) of this subsection to eight (8). The

14 minimum number of teachers for any high school with more

15 than forty-nine (49) ADM is ten (10), as calculated by

16 increasing the sum of the core teachers in paragraph (ii)

17 of this subsection, specialist teachers in paragraph (iii)

18 of this subsection and additional vocational education

19 teachers in paragraph (iv) of this subsection to ten (10).

20 The minimum number of teachers under this subparagraph

21 shall be provided for each elementary school, middle school

22 and high school grade band for a school that contains more

1   than one (1) grade band and the grade band is more than

2   forty-nine (49) ADM;

3

4   (B) The minimum number of teachers for any

5   school with more than forty-nine (49) ADM, more than one

6   (1) grade band and at least one (1) grade band with

7   forty-nine (49) ADM or less shall be calculated as follows:

8

9   (I) For   each   grade   band   with

10   forty-nine (49) ADM or less, the minimum number of teachers

11   shall be calculated by increasing the sum of the core

12   teachers in paragraph (ii) of this subsection, specialist

13   teachers in paragraph (iii) of this subsection and

14   additional vocational education teachers in paragraph (iv)

15   of this subsection to one (1) teacher position for every

16   seven (7) ADM;

17

18   (II) For each grade band with more

19   than forty-nine (49) ADM, the minimum number of teachers

20   shall be calculated as provided in subparagraph (A) of this

21   paragraph.

22

1   (vii) Small school district teacher adjustment.

2   For all schools within a district comprised of less than

3   two hundred forty-three (243) total ADM and notwithstanding

4   all other teacher resources in paragraphs (ii) through (vi)

5   of this subsection, resource each school with a minimum of

6   one (1) core teacher at every grade level with reported

7   ADM, plus an additional twenty percent (20%) of elementary

8   grade level core teachers to calculate elementary

9   specialist teachers and an additional thirty-three percent

10   (33%) of middle school and high school grade core teachers

11   to calculate middle school and high school specialist

12   teachers;

13

14   (viii) Instructional coaches:

15

16   (A) Elementary school instructional coaches

17   shall be calculated as the product of the school's ADM

18   multiplied by forty-five hundredths (0.45) divided by two

19   hundred eighty-eight (288) for schools with more than

20   forty-nine (49) ADM and schools not designated as

21   alternative schools;

22

1   (B) Middle and high school instructional

2   coaches shall be calculated as the product of the school's

3   ADM multiplied by forty-five hundredths (0.45) divided by

4   three hundred fifteen (315) for schools with more than

5   forty-nine (49) ADM and schools not designated as

6   alternative schools;

7

8   (C) For schools containing more than one

9   (1) grade band and more than forty-nine (49) ADM,

10   instructional coaches shall be calculated as the product of

11   the school's total ADM multiplied by forty-five hundredths

12   (0.45) divided by three hundred fifteen (315).

13

14   (ix) Tutors:

15

16   (A) Calculated as the school's at-risk

17   students computed under W.S. 21-13-309(m)(v)(A) divided by

18   one hundred (100) for schools with more than forty-nine

19   (49) ADM and schools not designated as alternative schools;

20

21   (B) Minimum tutors. A minimum number of

22   tutors shall be provided for schools with more than

1   forty-nine (49) ADM and schools not designated as

2   alternative schools based upon the following:

3

4   (I) Elementary schools. If the amount

5   calculated under subparagraph (A) of this paragraph is less

6   than the school ADM divided by two hundred eighty-eight

7   (288), then increase the amount calculated under

8   subparagraph (A) of this paragraph so that the number of

9   tutor positions is equal to the school ADM divided by two

10   hundred eighty-eight (288);

11

12   (II) Middle and high schools. If the

13   amount calculated under subparagraph (A) of this paragraph

14   is less than the school ADM divided by three hundred

15   fifteen (315), then increase the amount calculated under

16   subparagraph (A) of this paragraph so that the number of

17   tutor positions is equal to the school ADM divided by three

18   hundred fifteen (315);

19

20   (III) For schools containing more than

21   one (1) grade band, the minimum number of tutors shall be

22   calculated as provided in subdivision (II) of this

23   subparagraph using the total school ADM.

1

2   (x) Extended day and summer school teachers:

3

4   (A) Calculated   as   the   school's   at-risk

5   students computed under W.S. 21-13-309(m)(v)(A) divided by

6   one hundred twenty (120) then multiplied by six-tenths

7   (0.6) for schools with more than forty-nine (49) ADM and

8   schools not designated as alternative schools;

9

10   (B) Each school district shall receive a

11 minimum of one-half (0.5) position if the total FTE

12 calculated in subparagraph (A) of this paragraph is less

13 than one-half (0.5).

14

15   (xi) Substitute teachers:

16

17   (A) Calculated as the product of five

18 percent (5%) multiplied by the sum of FTE positions

19 calculated in paragraphs (ii) through (x) of this

20 subsection;

21

22   (B) The daily substitute rate shall be

23 equal to the product of one hundred two dollars and fifteen

1   cents   ($102.15)   multiplied   by   seven   and   sixty-five

2   hundredths percent (7.65%) for social security and Medicaid

3   benefits;

4

5   (C)   Total   substitute   teacher   resources

6   under this paragraph shall be equal to the product of one

7   hundred   seventy-five   (175)   multiplied   by   the   product

8   calculated in subparagraph (A) of this paragraph multiplied

9   by   the   product   calculated   in   subparagraph   (B)   of   this

10 paragraph.

11

12   (xii) Supervisory aides:

13

14   (A)   Elementary   school   supervisory   aides

15 shall   be   calculated   as   the   product   of   the   school's   ADM

16 multiplied   by   two   (2)   then   divided   by   two   hundred

17 eighty-eight (288) for schools with more than forty-nine

18 (49) ADM and schools not designated as an alternative

19 school;

20

21   (B)   Middle   school   supervisory   aides   shall

22 be calculated as the product of the school's ADM multiplied

23 by two (2) then divided by three hundred fifteen (315) for

1   schools with more than forty-nine (49) ADM and schools not

2   designated as an alternative school;

3

4   (C) High school supervisory aides shall be

5   calculated as the product of the school's ADM multiplied by

6   five (5) then divided by three hundred fifteen (315) for

7   schools with more than forty-nine (49) ADM and schools not

8   designated as an alternative school;

9

10   (D) For schools with more than forty-nine

11 (49) ADM and containing an elementary school grade band and

12 a middle school grade band but not a high school grade

13 band, supervisory aide positions shall be calculated based

14 upon the formula in subparagraph (B) of this paragraph

15 using the total school ADM. For schools with more than

16 forty-nine (49) ADM and containing a high school grade band

17 and either an elementary school grade band or a middle

18 school grade band or both, supervisory aide positions shall

19 be calculated based upon the formula in subparagraph (C) of

20 this paragraph using the total school ADM. This

21 subparagraph shall not apply to schools designated as an

22 alternative school.

23

1   (xiii) Pupil support positions:

2

3   (A) Calculated   as   the   school's   at-risk

4 students computed under W.S. 21-13-309(m)(v)(A) divided by

5 one hundred (100) for schools with more than forty-nine

6 (49) ADM and schools not designated as an alternative

7 school;

8

9   (B) Minimum   pupil   support   positions.

10 Minimum pupil support positions shall be provided for

11 schools with more than forty-nine (49) ADM and schools not

12 designated as an alternative school based upon the

13 following:

14

15   (I) Elementary schools. If the amount

16 calculated under subparagraph (A) of this paragraph is less

17 than the school ADM divided by two hundred eighty-eight

18 (288), then increase the amount of positions calculated

19 under subparagraph (A) of this paragraph to equal the

20 school ADM divided by two hundred eighty-eight (288);

21

22   (II) Middle and high schools. If the

23 amount calculated under subparagraph (A) of this paragraph

1   is less than the school ADM divided by three hundred

2   fifteen (315), then increase the amount of positions

3   calculated under subparagraph (A) of this paragraph to

4   equal the school ADM divided by three hundred fifteen

5   (315);

6

7   (III) For schools containing more than

8   one (1) grade band, the minimum number of tutors shall be

9   calculated as provided in subdivision (II) of this

10 paragraph using the total school ADM.

11

12   (xiv) Counselors. Calculated as total middle and

13 high school ADM divided by two hundred fifty (250) for

14 schools with more than forty-nine (49) ADM and schools not

15 designated as alternative schools;

16

17   (xv) Librarians. Shall be calculated for schools

18 with more than forty-nine (49) ADM and schools not

19 designated as alternative schools based upon the following:

20

21   (A) Elementary schools. Calculated as the

22 school's ADM divided by two hundred eighty-eight (288);

23

1   (B) Middle schools and high schools with

2   more than forty-nine (49) ADM and less than one hundred

3   five (105) ADM, provide librarian positions by prorating

4   one (1) librarian position for one hundred five (105) ADM

5   down to no librarian positions for forty-nine (49) ADM. For

6   middle schools and high schools with ADM of one hundred

7   five (105) or more up to six hundred thirty (630), provide

8   one (1) librarian position. For middle schools and high

9   schools with more than six hundred thirty (630) ADM,

10   calculate librarian positions by dividing the school's ADM

11   by six hundred thirty (630);

12

13   (C) For schools containing more than one

14   (1) grade band and more than forty-nine (49) ADM,

15   librarians shall be calculated using the formula in

16   subparagraph (B) of this paragraph using the total school

17   ADM.

18

19   (xvi) School computer technicians. For middle

20   and high schools with more than forty-nine (49) ADM and

21   schools not designated as alternative schools, calculated

22   as each school's ADM divided by three hundred fifteen

23   (315). For schools containing more than one (1) grade band,

1 calculated using the total school ADM divided by three

2 hundred fifteen (315);

3

4   (xvii) Principals. Shall be calculated for

5 schools with more than forty-nine (49) ADM and schools not

6 designated as alternative schools based upon the following:

7

8   (A) Elementary schools with more than

9 forty-nine (49) ADM and less than ninety-six (96) ADM,

10 provide principal positions by prorating one (1) principal

11 position for ninety-six (96) ADM down to no position at

12 forty-nine (49) ADM. Provide one (1) principal position for

13 elementary schools with ninety-six (96) or more ADM;

14

15   (B) Middle and high schools with more than

16 forty-nine (49) ADM and less than one hundred five (105)

17 ADM, provide principal positions by prorating one (1)

18 principal position for one hundred five (105) ADM down to

19 no position for forty-nine (49) ADM. Provide one (1)

20 principal position for middle schools and high schools with

21 one hundred five (105) or more ADM;

22

1   (C) For schools containing more than one

2   (1) grade band and more than forty-nine (49) ADM, provide

3   principal positions based upon the formula in subparagraph

4   (B) of this paragraph.

5

6   (xviii) Assistant principals:

7

8   (A) Prorate one (1) assistant principal

9   position for every two hundred eighty-eight (288)

10   elementary school ADM over two hundred eighty-eight (288)

11   ADM;

12

13   (B) Prorate one (1) assistant principal

14   position for every three hundred fifteen (315) middle

15   school and high school ADM over three hundred fifteen (315)

16   ADM;

17

18   (C) For schools containing more than one

19   (1) grade band, prorate one (1) assistant principal

20   position for every three hundred fifteen (315) ADM over

21   three hundred fifteen (315) ADM using the total school ADM;

22

1   (D) Provide one (1) assistant principal

2   position for a school with a total ADM of forty-nine (49)

3   or less or for a school designated as an alternative

4   school.

5

6   (xix) Secretaries. Calculated for schools with

7   more than forty-nine (49) ADM and schools not designated as

8   alternative schools based upon the following:

9

10   (A) Elementary schools with more than

11   forty-nine (49) ADM and less than ninety-six (96) ADM,

12   provide secretary positions by prorating one (1) secretary

13   position for ninety-six (96) ADM down to no position at

14   forty-nine (49) ADM. Elementary schools with more than

15   ninety-six (96) ADM and up to two hundred eighty-eight

16   (288) ADM, provide one (1) secretary position. Prorate one

17   (1) additional secretary position for every two hundred

18   eighty-eight (288) elementary ADM over two hundred

19   eighty-eight (288) ADM;

20

21   (B) Middle schools and high schools with

22   more than forty-nine (49) ADM and less than one hundred

23   five (105) ADM, provide secretary positions by prorating

1   one (1) secretary position for one hundred five (105) ADM

2   down to no position at forty-nine (49) ADM. Middle schools

3   and high schools with more than one hundred five (105) ADM

4   and up to three hundred fifteen (315) ADM, provide one (1)

5   secretary position. Prorate one (1) additional secretary

6   position for every three hundred fifteen (315) middle

7   school and high school ADM over three hundred fifteen (315)

8   ADM;

9

10   (C) For schools containing more than one

11   (1) grade band and more than forty-nine (49) ADM, secretary

12   positions shall be calculated using the formula in

13   subparagraph (B) of this paragraph using the total school

14   ADM.

15

16   (xx) Clerical positions. Calculated for schools

17   with more than forty-nine (49) ADM and schools not

18   designated as alternative schools based upon the following:

19

20   (A) Elementary schools with more than

21   forty-nine (49) ADM, provide clerical positions by

22   prorating one (1) clerical position for every two hundred

1   eighty-eight (288) ADM down to no clerical positions for

2   forty-nine (49) ADM;

3

4   (B) Middle   schools   with   more   than

5   forty-nine (49) ADM, provide clerical positions by

6   prorating one (1) clerical position for every three hundred

7   fifteen (315) ADM down to no clerical positions for

8   forty-nine (49) ADM;

9

10   (C) High schools with more than forty-nine

11 (49) ADM, provide clerical positions by prorating four (4)

12 clerical positions for every six hundred thirty (630) ADM

13 down to no clerical positions for forty-nine (49) ADM;

14

15   (D) For schools with more than forty-nine

16 (49) ADM and containing an elementary school grade band and

17 middle school grade band but not a high school grade band,

18 clerical positions shall be calculated based upon the

19 formula in subparagraph (B) of this paragraph using the

20 total school ADM. For schools with more than forty-nine

21 (49) ADM and containing a high school grade band and either

22 an elementary school grade band or a middle school grade

23 band or both, clerical positions shall be calculated based

1 upon the formula in subparagraph (C) of this paragraph

2 using the total school ADM.

3

4   (xxi) Books   and   instructional   materials.

5 Resources shall be calculated as the product of the

6 school's ADM multiplied by two hundred nine dollars and

7 thirty-three cents ($209.33);

8

9   (xxii) Technology and equipment. Resources shall

10 be calculated as the product of the school's ADM multiplied

11 by two hundred fifty dollars ($250.00). This amount shall

12 not be subject to any external cost adjustment applicable

13 under W.S. 21-13-309(o);

14

15   (xxiii) Gifted and talented students. Resources

16 shall be calculated as the product of the school's ADM

17 multiplied by forty-four dollars and seven cents ($44.07);

18

19   (xxiv) Career and technical education equipment

20 and materials. Resources shall be calculated as the product

21 of each high school's FTE vocational education teachers

22 reported under W.S. 21-13-309(m)(v)(D)(III) multiplied by

1   ten   thousand   three   hundred   thirteen   dollars   and

2   eighty-eight cents ($10,313.88);

3

4   (xxv) Student activities shall be based upon

5   each school's ADM. A middle school with ADM in grade nine

6   (9) shall have that ADM included in the high school ADM for

7   the high school the students would normally attend. Student

8   activity funding shall be calculated in the following

9   manner:

10

11   (A) Elementary   school   student   activity

12 resources shall be calculated as the product of the total

13 elementary school ADM multiplied by twenty-six dollars and

14 two cents ($26.02);

15

16   (B) Middle   school   student   activity

17 resources shall be calculated as the product of the total

18 middle school ADM multiplied by:

19

20   (I) Eight hundred fifty-six dollars

21 ($856.00) for a school with one (1) ADM, prorated down to

22 five   hundred   eighty-five   dollars   and   forty-one   cents

23 ($585.41) for a school with one hundred five (105) ADM;

1

2   (II) Five hundred eighty-five dollars

3 and forty-one cents ($585.41) for a school with one hundred

4 five (105) ADM, prorated down to four hundred three dollars

5 and twenty-nine cents ($403.29) for a school with two

6 hundred ten (210) ADM;

7

8   (III) Four hundred three dollars and

9 twenty-nine cents ($403.29) for a school with two hundred

10 ten (210) ADM, prorated down to three hundred twenty-five

11 dollars and twenty-three cents ($325.23) for a school with

12 three hundred fifteen (315) ADM;

13

14   (IV) Three hundred twenty-five dollars

15 and twenty-three cents ($325.23) for a school with three

16 hundred fifteen (315) ADM, prorated down to two hundred

17 eighty-six dollars and twenty cents ($286.20) for a school

18 with six hundred thirty (630) ADM;

19

20   (V) Two hundred eighty-six dollars and

21 twenty cents ($286.20) for a school with six hundred thirty

22 (630) ADM, prorated down to two hundred twenty-one dollars

1   and sixteen cents ($221.16) for a school with one thousand

2   two hundred sixty (1,260) or more ADM.

3

4   (C) High school student activity resources

5   shall be calculated as the product of the total high school

6   ADM multiplied by:

7

8   (I) Two thousand two hundred six

9   dollars and fifty-nine cents ($2,206.59) for a school with

10 one (1) ADM, prorated down to one thousand six hundred

11 ninety-one dollars and eighteen cents ($1,691.18) for a

12 school with one hundred five (105) ADM;

13

14   (II) One thousand six hundred

15 ninety-one dollars and eighteen cents ($1,691.18) for a

16 school with one hundred five (105) ADM, prorated down to

17 one thousand three hundred sixty-five dollars and

18 ninety-five cents ($1,365.95) for a school with two hundred

19 ten (210) ADM;

20

21   (III) One thousand three hundred

22 sixty-five dollars and ninety-five cents ($1,365.95) for a

23 school with two hundred ten (210) ADM, prorated down to one

1   thousand one hundred five dollars and seventy-seven cents

2   ($1,105.77) for a school with three hundred fifteen (315)

3   ADM;

4

5   (IV) One thousand one hundred five

6   dollars and seventy-seven cents ($1,105.77) for a school

7   with three hundred fifteen (315) ADM, prorated down to

8   seven hundred eighty dollars and fifty-four cents ($780.54)

9   for a school with six hundred thirty (630) ADM;

10

11   (V) Seven hundred eighty dollars and

12 fifty-four cents ($780.54) for a school with six hundred

13 thirty (630) ADM, prorated down to six hundred fifty

14 dollars and forty-five cents ($650.45) for a school with

15 one thousand two hundred sixty (1,260) or more ADM.

16

17   (xxvi) Professional development. Resources shall

18 be calculated as the product of the school's ADM multiplied

19 by one hundred thirty-seven dollars and seventy-two cents

20 ($137.72);

21

22   (xxvii) Central office staff:

23

1   (A) For school district ADM of five hundred

2   (500) or less, three (3) administrative positions and three

3   (3) classified positions;

4

5   (B) For school district ADM from five

6   hundred (500) to one thousand (1,000), provide four (4)

7   administrative positions and four (4) classified positions

8   at one thousand (1,000) ADM, prorated down to three (3)

9   administrative positions and three (3) classified positions

10 at five hundred (500) ADM;

11

12   (C) For school district ADM from one

13 thousand (1,000) to three thousand five hundred (3,500),

14 provide eight (8) administrative positions and ten (10)

15 classified positions at three thousand five hundred (3,500)

16 ADM, prorated down to four (4) administrative positions and

17 four (4) classified positions at one thousand (1,000) ADM;

18

19   (D) For a school district with ADM greater

20 than three thousand five hundred (3,500), prorate eight (8)

21 administrative positions for every three thousand five

22 hundred (3,500) ADM and prorate ten (10) classified

1   positions for every three thousand five hundred (3,500)

2   ADM.

3

4   (xxviii) Central office nonpersonnel resources.

5   Resources shall be calculated as the product of the school

6   district ADM multiplied by four hundred dollars and twenty

7   cents ($400.20);

8

9   (xxix) Maintenance and operations. Resourced as

10 follows:

11

12   (A) For school buildings containing more

13 than one (1) grade band or school, the resources shall be

14 generated at the highest grade band level using the total

15 ADM in the building;

16

17   (B) School custodians. For school buildings

18 with more than forty-nine (49) ADM, resources shall be

19 calculated using the average of the following four (4)

20 factors specified under subdivisions (I) through (IV) of

21 this subparagraph, plus an additional one-half (0.5) FTE

22 for middle or high schools:

23

1   (I) One (1) custodian multiplied by

2   the total of the number of teachers resourced under

3   paragraphs (i) through (v) of this subsection divided by

4   thirteen (13);

5

6   (II) One (1) custodian multiplied by

7   the result of the total school building ADM divided by

8   three hundred twenty-five (325);

9

10   (III) One (1) custodian multiplied by

11   the total of the number of classrooms in the building

12   divided by thirteen (13);

13

14   (IV) One (1) custodian multiplied by

15   the result of the total allowable gross square footage of

16   education space for the school building in accordance with

17   W.S. 21-13-309(m)(v)(G)(II) divided by eighteen thousand

18   (18,000).

19

20   (C) District custodians. Calculated as the

21   product of one (1) custodian position multiplied by ten

22   percent (10%) of the total allowable gross square footage

23   of education space for all school buildings in the district

1 in accordance with W.S. 21-13-309(m)(v)(G)(II) then divided

2 by eighteen thousand (18,000);

3

4   (D) Maintenance workers. A base FTE

5 resourced using the average of the four (4) factors

6 specified under subdivisions (I), (II), (III) and (IV) of

7 this subparagraph plus the additional adjustments to the

8 base FTE amount as provided in subdivision (V) of this

9 subparagraph:

10

11   (I) One and one-tenth (1.1)

12 maintenance worker per school building;

13

14   (II) One (1) maintenance worker

15 multiplied by the total of the allowable gross square

16 footage of education space for the school building in

17 accordance with W.S. 21-13-309(m)(v)(G)(II) divided by

18 sixty thousand (60,000), then multiplied by a factor of one

19 and two-tenths (1.2);

20

21   (III) One (1) maintenance worker

22 multiplied by the total ADM for the school building divided

1 by one thousand (1,000), then multiplied by a factor of one

2 and three-tenths (1.3);

3

4   (IV) One   (1)   maintenance   worker

5 multiplied by the school district's school year 2005-2006

6 general fund operating expenditures divided by five million

7 dollars ($5,000,000.00), then multiplied by a factor of one

8 and two-tenths (1.2);

9

10   (V) The base FTE calculated under this

11 subparagraph for each school building shall be adjusted as

12 follows:

13

14   (1) A school level adjustment for

15 elementary schools equal to the product of the base FTE

16 multiplied by a factor of eight-tenths (0.8), for middle

17 schools equal to the product of the base FTE multiplied by

18 a factor of one (1) and for high schools equal to the

19 product of the base FTE multiplied by a factor of two (2);

20

21   (2) A building age adjustment for

22 a school building that is less than ten (10) years old

23 equal to the product of the base FTE multiplied by a factor

1   of ninety-five hundredths (0.95) and for a school building

2   that is more than thirty (30) years old equal to the

3   product of the base FTE multiplied by a factor of one and

4   one-tenth (1.1);

5

6   (3) A small district adjustment

7   for a school district with less than one thousand (1,000)

8   ADM equal to the base FTE plus the adjustments under

9   subdivisions (1) and (2) of this subdivision, then

10   multiplied by a factor of one and one-tenth (1.1).

11

12   (E) Groundskeepers:

13

14   (I) In making calculations under this

15   subparagraph:

16

17   (1) For   school   land   acreage

18   containing more than one (1) school building, the resources

19   shall be calculated at the highest applicable grade band

20   level using the total ADM of all schools on the land

21   acreage;

22

1   (2) Acreage acquired by a

2   district after July 1, 1997 shall be calculated using the

3   lesser of the actual site acreage on which the facility is

4   situated or the acreage specified in school facility

5   commission guidelines as of July 1, 2021, provided that

6   this limitation shall not apply if the acreage was acquired

7   through an exchange with another governmental entity and

8   the acreages involved in the exchange were originally

9   acquired by the district and the governmental entity on or

10   prior to July 1, 1997.

11

12   (II) A base groundskeeper FTE shall be

13   calculated for each school site as the product of the

14   allowable acreage computed under subdivision (I) of this

15   subparagraph multiplied by ninety-three (93) hours per acre

16   divided by two thousand eight (2,008) hours of work per

17   year. The base groundskeeper FTE shall be adjusted by a

18   factor equal to the base groundskeeper FTE multiplied by

19   one and five-tenths (1.5) for middle school sites and two

20   and five-tenths (2.5) for high school sites;

21

22   (III) Groundskeeper FTE positions for

23   district level sites shall be equal to ten percent (10%) of

1   the school level groundskeeper FTE positions calculated

2   under subdivision (II) of this subparagraph.

3

4   (xxx) Operations and maintenance supplies.

5   Resources shall be calculated for each district as the

6   product of the allowable gross square footage of education

7   space for each school building in accordance with W.S.

8   21-13-309(m)(v)(G)(II) multiplied by a factor of one and

9   one-tenth (1.1) and then multiplied by seventy-three cents

10   ($0.73);

11

12   (xxxi) Utilities. Actual school year 2009-2010

13   expenditures by district excluding amounts reimbursed under

14   W.S. 21-13-320 and 21-13-321 as adjusted by negative ten

15   and seven hundred sixty-two thousandths percent (-10.762%),

16   further adjusted by four and seventy-seven hundredths

17   percent (4.77%), further adjusted by ten and eight hundred

18   twenty-three thousandths percent (10.823%), further

19   adjusted by nine hundred thirty-six thousandths percent

20   (0.936%) and further adjusted by external cost adjustments

21   enacted by law. For additional school buildings added to

22   district building inventories after school year 2009-2010,

23   one hundred percent (100%) of 2009-2010 district average

1   utility expenditures per gross square foot for district

2   school buildings multiplied by the additional authorized

3   educational square footage;

4

5   (xxxii) School adjustments:

6

7   (A) For a school configured with grade

8   kindergarten through six (K-6), resource as an elementary

9   school;

10

11   (B) For a school configured with grades

12   five through eight (5-8), grades six through nine (6-9) or

13   grades seven through nine (7-9), or any combination

14   thereof, resource as a middle school;

15

16   (C) For a school configured with grades

17   kindergarten through seven (K-7), grades kindergarten

18   through eight (K-8) or grades kindergarten through nine

19   (K-9), resource grades kindergarten through five (K-5) as

20   an elementary school grade band for teacher resources and

21   all remaining grades and as a middle school grade band for

22   teacher resources;

23

1   (D) For a school configured with grades

2 kindergarten through twelve (K-12), resource grades

3 kindergarten through five (K-5) as an elementary school

4 grade band for teacher resources, grades six through eight

5 (6-8) as a middle school grade band for teacher resources

6 and all remaining grades as a high school grade band for

7 teacher resources;

8

9   (E) For a school configured with grades six

10 through twelve (6-12) or grades seven through twelve

11 (7-12), resource grades six through eight (6-8) as a middle

12 school grade band for teacher resources and all remaining

13 grades as a high school grade band for teacher resources.

14

15   (xxxiii) Salaries for all school and district

16 level staffing categories under this subsection, shall be

17 based upon salary levels as specified under this paragraph.

18 The salary level for each staffing category shall be

19 adjusted for each district based upon the district

20 experience, education and responsibility level as specified

21 for that staffing category. District experience, education

22 and responsibility level by appropriate staffing category

23 shall be updated each year by the department of education

1 so that district adjustments reflect the prior school year

2 information. The education adjustments under this paragraph

3 shall only reflect the highest degree obtained by district

4 staff. The staffing categories and specified salaries and

5 adjustments are as follows:

6

7   (A) Central   office   administrative

8 positions:

9

10   (I) One (1) superintendent salary

11 equal to seventy-nine thousand five hundred eighteen

12 dollars and ninety cents ($79,518.90), plus nineteen

13 thousand one hundred fifty-seven dollars and thirty-six

14 cents ($19,157.36) multiplied by the average number of

15 central office administrative positions that have a

16 bachelor's degree, plus twenty-five thousand three hundred

17 seventy-five dollars and twenty-one cents ($25,375.21)

18 multiplied by the average number of central office

19 administrative positions that have a master's degree, plus

20 thirty thousand five hundred forty-six dollars and sixteen

21 cents ($30,546.16) multiplied by the average number of

22 central office administrative positions that have a

23 doctoral degree, plus two hundred thirteen dollars and

1 seventy-seven cents ($213.77) multiplied by the average

2 years of state experience, plus four dollars and

3 twenty-five cents ($4.25) multiplied by the district ADM;

4

5   (II) One (1) assistant superintendent

6 salary equal to eighty percent (80%) of the superintendent

7 salary calculated in subdivision (I) of this subparagraph;

8

9   (III) One (1) business manager salary

10 equal to forty-three thousand six hundred eighty-seven

11 dollars and thirty-nine cents ($43,687.39), plus nineteen

12 thousand one hundred fifty-seven dollars and thirty-six

13 cents ($19,157.36) multiplied by the average number of

14 central office administrative positions that have a

15 bachelor's degree, plus twenty-five thousand three hundred

16 seventy-five dollars and twenty-one cents ($25,375.21)

17 multiplied by the average number of central office

18 administrative positions that have a master's degree, plus

19 thirty thousand five hundred forty-six dollars and sixteen

20 cents ($30,546.16) multiplied by the average number of

21 central office administrative positions that have a

22 doctoral degree, plus two hundred thirteen dollars and

23 seventy-seven cents ($213.77) multiplied by the average

1   years   of   state   experience,   plus   four   dollars   and

2   twenty-five cents ($4.25) multiplied by the district ADM;

3

4   (IV)   Additional   central   office

5   administrative positions resourced under paragraph (xxvii)

6   of this subsection in excess of three (3) FTE shall have a

7   salary equal to the average of:

8

9   (1)   The   salary   calculated   under

10   subdivision (II) of this subparagraph multiplied by two

11   (2), plus;

12   (2)   The   salary   calculated   under

13   subdivision (III) of this subparagraph.

14

15   (B) Principal salaries shall be equal to

16   seventy-three   thousand   seven   hundred   forty   dollars   and

17   eight cents ($73,740.08), plus eight thousand five hundred

18   twenty-four   dollars   and   twenty-seven   cents   ($8,524.27)

19   multiplied by the average number of principal and assistant

20   principal positions that have a doctoral degree, plus six

21   hundred   forty   dollars   and   sixteen   cents   ($640.16)

22   multiplied by the average years of state experience, plus

1   fourteen dollars and fifty-six cents ($14.56) multiplied by

2   the average school ADM;

3

4   (C) Assistant principal salaries shall be

5   equal to fifty-nine thousand nine hundred seventy-nine

6   dollars ($59,979.00), plus eight thousand five hundred

7   twenty-four dollars and twenty-seven cents ($8,524.27)

8   multiplied by the average number of principal and assistant

9   principal positions that have a doctoral degree, plus six

10 hundred forty dollars and sixteen cents ($640.16)

11 multiplied by the average years of state experience, plus

12 fourteen dollars and fifty-six cents ($14.56) multiplied by

13 the average school ADM;

14

15   (D) Teacher salaries under this

16 subparagraph shall be provided for core teachers,

17 specialist teachers, English language learner teachers,

18 instructional coaches, tutors, summer school teachers,

19 extended day teachers, counselors, pupil support positions

20 and librarians. Teacher salaries shall be equal to

21 thirty-eight thousand ninety-eight dollars and ninety-one

22 cents ($38,098.91), plus six thousand three hundred

23 forty-four dollars and thirty-six cents ($6,344.36)

1   multiplied by the average number of teacher positions that

2   have a master's degree, plus thirteen thousand eight

3   hundred forty-two dollars and twenty-five cents

4   ($13,842.25) multiplied by the average number of teacher

5   positions that have a doctoral degree, plus eight hundred

6   sixty-eight dollars and seventy cents ($868.70) multiplied

7   by the average years of teaching experience up to twenty

8   (20) years, plus two hundred twenty-five dollars and

9   forty-eight cents ($225.48) multiplied by the average years

10 of teaching experience over twenty (20) years;

11

12   (E) School computer technician salaries

13 shall be equal to thirty-nine thousand five hundred

14 fifty-six dollars and nineteen cents ($39,556.19), plus

15 thirteen thousand six hundred forty-nine dollars

16 ($13,649.00) multiplied by the average number of school

17 computer technician positions that have a bachelor's

18 degree, plus six hundred fifty-nine dollars and eighty

19 cents ($659.80) multiplied by the average years of state

20 experience;

21

22   (F) Supervisory aide salaries shall be

23 equal to seventeen thousand six hundred one dollars and

1   forty-five cents ($17,601.45), plus two thousand forty-nine

2   dollars and forty cents ($2,049.40) multiplied by the

3   average number of supervisory aide positions that have a

4   bachelor's degree, plus two hundred eighty-two dollars and

5   eighty cents ($282.80) multiplied by the average years of

6   state experience;

7

8   (G) School secretary salaries shall be

9   equal to twenty-nine thousand eight hundred forty-six

10 dollars and eighty cents ($29,846.80), plus four hundred

11 eleven dollars and ninety-eight cents ($411.98) multiplied

12 by the average years of state experience for all secretary

13 and clerical positions;

14

15   (H) School clerical salaries shall be equal

16 to twenty-two thousand nine hundred sixty-two dollars and

17 fifteen cents ($22,962.15), plus three hundred sixteen

18 dollars and fifty-five cents ($316.55) multiplied by the

19 average years of state experience for all secretary and

20 clerical positions;

21

22   (J) Central office classified position

23 salaries shall be equal to thirty-two thousand four hundred

1   twelve dollars and ninety-one cents ($32,412.91), plus four

2   hundred eleven dollars and ninety-eight cents ($411.98)

3   multiplied by the average years of state experience for all

4   secretary and clerical positions;

5

6   (K) Maintenance worker and groundskeeper

7   salaries shall be equal to thirty-two thousand six hundred

8   seventy-nine dollars and eighteen cents ($32,679.18), plus

9   four hundred eighty-four dollars and thirteen cents

10 ($484.13) multiplied by the average years of state

11 experience for all maintenance worker, groundskeeper and

12 custodian positions;

13

14   (M) Custodian salaries shall be equal to

15 twenty-six thousand five hundred twenty-nine dollars and

16 eighty-one cents ($26,529.81), plus four hundred

17 eighty-four dollars and thirteen cents ($484.13) multiplied

18 by the average years of state experience for all

19 maintenance worker, groundskeeper and custodian positions.

20

21   (xxxiv) Except for groundskeeper salaries, each

22 district adjusted average salary for each staffing category

1   under paragraph (xxxiii) of this subsection shall be

2   further adjusted as follows:

3

4   (A) Increased by an amount equal to

5   twenty-one and one-tenth percent (21.1%) of the district

6   adjusted average salary for:

7

8   (I) Social security equaling six and

9   two-tenths percent (6.2%);

10

11   (II) Medicare equaling one and

12   forty-five hundredths percent (1.45%);

13

14   (III) Worker's compensation equaling

15   seven-tenths percent (0.7%);

16

17   (IV) Unemployment insurance equaling

18   six-hundredths percent (0.06%);

19

20   (V) Retirement equaling twelve and

21   sixty-nine hundredths percent (12.69%). The amount contains

22   employee contributions to the Wyoming retirement system of

23   five and fifty-seven hundredths percent (5.57%) and

1 employer contributions to the Wyoming retirement system of

2 seven and twelve-hundredths percent (7.12%).

3

4   (B) Regional cost adjustment differences as

5 measured by the greater of the 2005 hedonic wage index or

6 the Wyoming cost-of-living index computed by the division

7 of economic analysis, department of administration and

8 information, with a minimum of one hundred (100) index

9 value. For purposes of the education resource block grant

10 model, the version of the Wyoming cost-of-living index used

11 by the division shall be based upon the unrecalibrated

12 housing cost index weights unless otherwise determined by

13 the legislature. In addition, the version of the Wyoming

14 cost-of-living index applied under this subparagraph for

15 any school year shall be the average of the six (6)

16 consecutive semiannual index reports completed by January 1

17 of the immediately preceding school year. The regional cost

18 adjustment under this subparagraph shall be multiplied by

19 the district adjusted average salary as further adjusted

20 under subparagraph (A) of this paragraph;

21

1   (C) An amount for health insurance benefits

2   computed under W.S. 21-13-309(m)(v)(F) shall be added to

3   the district adjusted average salary.

4

5   (xxxv) External cost adjustment. Except as

6   otherwise provided in this section, the block grant model

7   components as provided in this subsection or any specified

8   category of model components shall be subject to an

9   external cost adjustment as adopted by the legislature

10   pursuant to W.S. 21-13-309(o).

11

12   (d) Funding provided under subsection (c) of this

13   section shall be limited as follows:

14

15   (i) Funding for teachers under paragraphs

16   (c)(ii) through (vii) of this section shall be calculated

17   as a component of the Wyoming education resource block

18   grant model but shall be provided as a categorical grant

19   outside of the block grant. The categorical grant shall not

20   be expended for any other purpose. Categorical grant funds

21   under this paragraph that are unexpended and unencumbered

22   at the end of each fiscal year shall revert to the school

23   foundation program account;

1

2   (ii) Notwithstanding any other provision of this

3   section, no person first employed by a school district on

4   or after July 1, 2021 shall be paid a salary in excess one

5   hundred five thousand dollars ($105,000.00). In school year

6   2022-2023 and each school year thereafter, no person

7   employed by a school district shall be paid a salary in

8   excess of one hundred five thousand dollars ($105,000.00)

9   unless the school district pays any salary in excess of

10   that amount from funds in its reserve accounts;

11

12   (iii) Beginning in school year 2022-2023, the

13   calculation of central office resources under paragraph

14   (c)(xxvii) of this section shall be calculated on a county

15   level rather than a school district level and shall be

16   allocated among districts within each county as determined

17   by the state superintendent. Calculations under this

18   paragraph shall include the following:

19

20   (A) All applicable references to district

21   experience, education and ADM shall be considered to be

22   references to county experience, education and ADM;

23

1   (B) The regional cost adjustment applicable

2   to   this   paragraph,   as   provided   under   subparagraph

3   (c)(xxxiv)(B) of this section, shall be the greater of the

4   2005 hedonic wage index for the largest school district in

5   the county or the Wyoming cost-of-living index computed by

6   the   division   of   economic   analysis,   department   of

7   administration and information, with a minimum of one

8   hundred (100) index value.

9

10   **Section   2.** W.S.   21-2-204(b)(intro),

11   21-13-101(a)(intro), (xiv) and (c), 21-13-309(m)(v)(intro),

12   (o), (p) and (u), 21-13-320(b)(intro), (f) and by creating

13   a new subsection (o) and 21-13-321(b) are amended to read:

14

15   **21-2-204. Wyoming Accountability in Education Act;**

16   **statewide education accountability system created.**

17

18   (b) A statewide education accountability system shall

19   be established by the state board through the department of

20   education in accordance with this section, which implements

21   the components of the education resource block grant model

22   as defined by W.S. 21-13-101(a)(xiv) and as contained in

23   Attachment "A" as defined under W.S. 21-13-101(a)(xvii)

1 21-13-309.1. The first phase of this system shall be a

2 school-based system that is based on student performance as

3 determined through multiple measures of school performance.

4 The goals of the Wyoming Accountability in Education Act

5 are to:

6

7   **21-13-101. Definitions.**

8

9   (a) As   used   in   this   chapter   unless   otherwise

10 specifically defined:

11

12   (xiv) "Education resource block grant model"

13 means the block grant model for Wyoming school finance

14 contained within the enumeration of model components

15 summarizing and executing ~~recommendations within~~ the ~~2010~~

16 2020 cost of education study as modified by the legislature

17 and as ~~referenced in paragraph (xvii) of this subsection~~

18 provided in W.S. 21-13-309.1. "Education resource block

19 grant model" or "model" includes model spreadsheets updated

20 with technical corrections, all of which are enacted into

21 law, on file with the secretary of state and are maintained

22 and made available for public inspection by the state

23 superintendent under W.S. 21-2-202(e), and as may be

1   subsequently modified by the legislature prior to future

2   model recalibration required under W.S. 21-13-309(t);

3

4   (c) The education resource block grant model as

5   defined under paragraph (a)(xiv) of this section and as

6   included   in   "Attachment   A"   referenced   in   paragraph

7   (a)(xvii) of this section W.S. 21-13-309.1, as each are

8   enacted into law, and including any technical correction

9   which may be implemented by rule and regulation of the

10 state superintendent under W.S. 21-2-202(e), shall be filed

11 with the secretary of state.

12

13   **21-13-309. Determination of amount to be included in**

14 **foundation program for each district.**

15

16   (m) In determining the amount to be included in the

17 foundation   program   for   each   district,   the   state

18 superintendent shall:

19

20   (v) Based upon ADM computations and identified

21 school configurations within each district pursuant to

22 paragraph (iv) of this subsection, compute the foundation

23 program amount for each district as prescribed by the

1 education resource block grant model adopted by the Wyoming

2 legislature as defined under W.S. 21-13-101(a)(xiv), as

3 contained within the spreadsheets and accompanying reports

4 referenced under W.S. 21-13-101(a)(xvii) 21-13-101(c) and

5 21-13-309.1. The following criteria shall be used by the

6 state superintendent in the administration of the education

7 resource block grant model:

8

9   (o) To the extent specifically provided by the

10 legislature, and between periods of model recalibration

11 required under subsection (t) of this section, the amount

12 computed for each district under subsection (m) of this

13 section shall be adjusted to provide for the effects of

14 inflation, excluding those amounts specified under

15 subparagraphs (m)(v)(E) and (F) of this section and the

16 assessment component contained in paragraph (b)(xxviii) of

17 "Attachment A" as referenced as specified in W.S.

18 21-13-101(a)(xvii) 21-13-309.1. The adjustment under this

19 subsection shall not be applied until the expiration of the

20 school year immediately following the first school year of

21 application of the recalibrated model, and shall be

22 adjusted on a cumulative basis each school year thereafter

23 and until the first school year of application of a

1   subsequent model recalibration. Following analysis of

2   information reported under subsection (u) of this section,

3   the joint appropriations interim committee shall submit a

4   recommendation to the legislature and the governor not

5   later than November 1 of each applicable year on an

6   external cost adjustment for purposes of this subsection.

7

8   (p) Except as otherwise provided by law and following

9   the computation and application of any adjustment under

10 subsection (o) of this section, the amount computed for

11 each school within each district shall be combined with the

12 amount computed and provided on a district level for that

13 district, as prescribed by the education resource block

14 grant model, to determine the foundation program amount for

15 each district. The foundation program amount for each

16 district shall be adjusted by calculating a per ADM

17 reduction by dividing one million dollars ($1,000,000.00)

18 by the total statewide ADM calculated under W.S.

19 21-13-309(m)(iv). Each district's foundation program amount

20 shall be reduced by subtracting the product of a district's

21 ADM calculated under W.S. 21-13-309(m)(iv) multiplied by

22 the per ADM reduction amount under this subsection.

23

1   (u) To ensure model components specified under the

2   education resource block grant model defined under W.S.

3   21-13-101(a)(xiv),   as   enumerated   and   enacted   by   the

4   legislature and included in "Attachment A" referenced in

5   W.S. 21-13-101(a)(xvii) 21-13-309.1, remain resourced at

6   cost-based levels between periods of model recalibration

7   required under subsection (t) of this section, and prior to

8   adjustment for the effects of inflation for any school year

9   under subsection (o) of this section, the joint education

10   interim committee shall annually receive and review reports

11   in accordance with this subsection and report to the joint

12   appropriations interim committee as required by this

13   subsection.   The legislative service office shall assemble

14   information necessary to develop a model monitoring process

15   and other reports for the committee using data maintained

16   by the department of education and other state agencies.

17   For this purpose, the department shall annually update and

18   compile information, in a format contained within reports

19   provided during 2010 model recalibration, reported at the

20   model component level, on school district allocation of

21   model resources, as well as other information provided for

22   purposes of developing and completing the 2010 cost of

23   education studies.   Each year excluding the first school

1   year of application of any model recalibration performed

2   under subsection (t) of this section, the information and

3   analysis assembled by the legislative service office under

4   this subsection shall be reported to the joint education

5   interim committee in sufficient time to allow committee

6   review of and deliberation on the report and the submission

7   of recommendations to the joint appropriations interim

8   committee by October 15 of the applicable school year.

9   Report recommendations shall be used by the joint

10 appropriations interim committee in its determination of

11 legislative recommendation on model adjustment under

12 subsection (o) of this section.

13

14   **21-13-320. Student transportation; amount within**

15 **school foundation program formula for transportation**

16 **maintenance and operations expenditures and school bus**

17 **purchases; district reporting requirements.**

18

19   (b) Subject to the limitations in subsection (f) of

20 this section, there shall be an amount computed for each

21 school district equal to the base price amount for bus

22 purchase and lease payment expenditures made by the

23 district during the previous school year pursuant to

1   subsection (g) of this section and for the amount actually

2   expended by the district during the previous school year

3   for:

4

5   (f) The department of education shall adopt necessary

6   rules and regulations to implement and enforce state

7   standards established under this section and to administer

8   this section. The department shall annually review, and

9   audit as necessary, information submitted under this

10   section. As authorized under W.S. 21-13-307(b), the

11   department may correct the information reported by

12   districts under this section as necessary to fairly and

13   accurately reflect the data type, classification and format

14   required to administer this section in accordance with law

15   and department rules and regulations. Pursuant to rules of

16   the department, reimbursement of expenditures under

17   subsection (b) of this section shall be limited as follows:

18

19   (i) Reimbursement for expenditures, except for

20   vehicle expenditures as provided in paragraph (iii) of this

21   subsection, shall not exceed ninety percent (90%) of the

22   amount expended in school year 2018-2019, as adjusted by

23   any external cost adjustment under W.S. 21-13-309(o). A

1   district may appeal to the department for reimbursement of

2   expenditures that exceed the maximum amount established

3   under this paragraph, provided that the excess expenditures

4   are necessary and follow best practices adopted by the

5   department. Best practices under this paragraph may include

6   use of routing software and prohibiting reimbursement of

7   transportation further than the appropriate school located

8   closest to the student;

9

10   (ii) Reimbursement for district expenditures

11   computed under subsection (b) of this section shall not

12   include expenditures for employee contributions to the

13   Wyoming retirement system exceeding five and fifty-seven

14   hundredths percent (5.57%) of any member employee's

15   salary; . In addition, the department shall, in accordance

16   with procedures prescribed by department rule and

17   regulation, establish a

18

19   (iii) Reimbursement for expenditures for

20   vehicles:

21

22   (A) Shall not exceed the base price for

23   each school bus type or other student transportation

1   vehicle   type   ~~established   by   the   department~~   for   the

2   applicable fiscal period~~; that complies with~~

3

4   (B) Shall only be provided for vehicles

5   that   meet   minimum   state   standards   for   vehicle

6   specifications and equipment~~;. The department shall also~~

7   ~~establish a process including~~

8

9   (C) Shall only be provided for vehicles

10 purchased through a competitive bidding process established

11 by the department which guarantees the acquisition of

12 school buses and other student transportation vehicles

13 approved for reimbursement and complying with state minimum

14 standards and district fleet size restrictions at the

15 established base price for the applicable fiscal year.

16 Department rules shall establish appropriate restrictions

17 on how and under which conditions a school district may

18 procure a school bus or other student transportation

19 vehicle, either through purchase or lease, to ensure that

20 the procurement method used is the most cost effective.

21 School districts shall notify the department of school bus

22 and   other   student   transportation   vehicle   needs   and

23 requirements for the appropriate fiscal year in the manner

1   and within the times prescribed by department rule and

2   regulation, and shall report expenditures, purchases and

3   lease arrangements for the applicable reporting period,

4   including vehicles replaced by purchases and leases, as

5   required by department rule and regulation. ~~The department~~

6   ~~shall annually review and conduct audits as necessary of~~

7   ~~information submitted under this section. As authorized~~

8   ~~under W.S. 21-13-307(b), the department may correct the~~

9   ~~information reported by districts under this section as~~

10 ~~necessary to fairly and accurately reflect the data type,~~

11 ~~classification and format required to administer this~~

12 ~~section in accordance with law and department rules and~~

13 ~~regulations.~~

14

15   (o)   This section is repealed July 1, 2023.

16

17   **21-13-321. Special   education;   amount   within**

18 **foundation program formula for special education programs**

19 **and services; district reporting requirements.**

20

21   (b)   Subject to the limitations of this subsection and

22 subsection (d) of this section, the amount provided for

23 special education within the education resource block grant

1 model pursuant to W.S. 21-13-309(m)(v)(E)(II) shall be

2 equal to one hundred percent (100%) of the amount actually

3 expended by the district during the previous school year

4 for special education programs and services. ~~The statewide~~

5 ~~total amount reimbursed under this section in school year~~

6 ~~2019-2020 or 2020-2021 shall not exceed the statewide total~~

7 ~~amount reimbursed under this section in school year~~

8 ~~2018-2019, notwithstanding any additional appropriation for~~

9 ~~that purpose by the legislature.~~ Except as otherwise

10 provided in this subsection, school district reimbursements

11 under this section shall not exceed the amount expended in

12 school year 2018-2019, as adjusted by any external cost

13 adjustment under W.S. 21-13-309(o). The limitation for

14 school district reimbursements under this subsection shall

15 not apply to students who have severe needs as defined by

16 the department. A school district may submit an appeal to

17 the state superintendent for reimbursement of expenditures

18 that exceed the maximum amount established under this

19 subsection. Excess expenditures shall only be eligible for

20 reimbursement if the state health officer certifies to the

21 state superintendent that the expenditures are necessary

22 using the following criteria:

23

1   (i) The expenditures and interventions used are

2   consistent with state and federal law;

3

4   (ii) The interventions followed standards for

5   eligibility;

6

7   (iii) The interventions used were appropriate

8   for the students and likely to be beneficial considering

9   the costs of the interventions, student time and any

10   medical risks;

11

12   (iv) The interventions comply with the medical

13   principal of first do no harm; and

14

15   (v) The district provides evidence that the

16   district is participating in Medicaid and the expenditures

17   were not eligible for funding under Medicaid or through

18   other federal funds.

19

20   **Section   3.** W.S.   21-13-101(a)(xvii)   and

21   21-13-309(m)(v)(C) are repealed.

22

1   **Section 4.** 2011 Wyoming Session Laws, Chapter 185,

2   ATTACHMENT "A", 2012 Wyoming Session Laws, Chapter 99,

3   Section 3, 2017 Wyoming Session Laws, Chapter 205, Sections

4   3 and 4, 2018 Wyoming Session Laws, Chapter 137 Sections 2

5   and 3 and 2020 Wyoming Session Laws, Chapter 80, Section 2,

6   Section 205, Footnote No. 1 are repealed.

7

8   **Section 5.** Not later than July 1, 2021, the state

9   superintendent shall establish a task force in each county

10 with more than one (1) school district to develop a plan

11 for implementation of W.S. 21-13-309.1(d)(iii), as created

12 by section 1 of this act, within that county. The state

13 superintendent   shall   report   any   recommendations   for

14 revisions   to   W.S.   21-13-309.1(d)(iii)   to   the   joint

15 education   interim   committee   not   later   than   November   15,

16 2021.

17

18   **Section 6.** The   joint   education   interim   committee

19 shall   study   the   development   of   a   formula   for   the

20 transportation of students including transportation to and

21 from school, transportation for educational field trips and

22 transportation for competitive events or other activities.

23 The study under this section shall include a review of the

1 current funding process for bus purchases. The committee

2 shall develop legislation it deems appropriate to implement

3 this section not later than the 2023 general session of the

4 legislature.

5

6   **Section 7.**

7

8   (a) Except as provided in subsection (b) of this

9 section, this act is effective July 1, 2021.

10

11   (b) Sections 5 through 7 of this act are effective

12 immediately upon completion of all acts necessary for a

13 bill to become law as provided by Article 4, Section 8 of

14 the Wyoming Constitution.

15

16   (END)