

ENROLLED ACT NO. 98, HOUSE OF REPRESENTATIVES

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AN ACT relating to school finance; implementing 2010 recalibration modifications to the Wyoming education resource block grant model; eliminating superfluous and fully executed provisions; modifying the early reading program; clarifying reimbursable expenditures; modifying foundation account payment and recapture schedules and advance payments as specified; imposing specified student-teacher ratios; prohibiting specified district expenditures; modifying foundation account payment and recapture schedules and advance payments as specified; establishing a monitoring process for model cost-based resourcing; imposing reporting requirements; establishing repository for certified staff data and initiating process for data maintenance and usage; providing an appropriation; authorizing positions; and providing for effective dates.

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

Section 1. W.S. 9-1-513(b)(ix), 21-2-202(a)(xxvi), (xxix), by creating a new paragraph (xxxii) and (e), 21-2-203(c)(viii) and by creating a new paragraph (ix), 21-2-802 by creating a new subsection (m), 21-3-110(a)(xxiii) and (xxviii), 21-3-401, 21-13-101(a)(xiv), (xvii) and (c), 21-13-102(b), 21-13-307(a) by creating a new paragraph (iv), 21-13-309(m)(iv)(B), (C), (v)(intro), (C), (D)(intro), (G)(II)(intro), (o) and by creating a new subsection (u), 21-13-311 by creating a new subsection (d), 21-13-313(c) and (g), 21-13-320(f), 21-13-321(d) and 21-13-335(d)(intro), (iv) and (e) are amended to read:

9-1-513. School finance audits and management studies.

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(b) The school finance section within the department established under subsection (a) of this section shall:

(ix) As a part of the requirements under paragraph (i) of this subsection, conduct periodic audits of ~~vocational~~career-vocational education information and computations submitted by districts as necessary for implementation of W.S. 21-13-309(m)(v)(D) and include audit findings in the report to the department of education required under paragraph (iv) of this subsection and the report to the legislature required under paragraph (viii) of this subsection.

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

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

(xxvi) Establish criteria and guidelines for the identification of ~~vocational~~career-vocational education courses by districts, for the computation of full-time equivalent (FTE) students participating in ~~vocation~~career-vocational education courses and for the determination of full-time equivalent (FTE) ~~vocational~~career-vocational education teachers, and provide for the annual collection of information necessary to implement and administer W.S. 21-13-309(m)(v)(D);

(xxix) By rule and regulation, provide for the reporting of district ~~vocational~~career-vocational education expenditures;

(xxxii) In consultation with the office of the chief information officer and through a single repository, establish criteria and guidelines for the collection, storage, management and reporting of data related to

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teacher certification and the administration of the school finance system.

(e) In addition to paragraph (a)(i) of this section, the state superintendent shall promulgate rules and regulations governing the administration of the Wyoming education resource block grant model adopted by the Wyoming legislature as defined under W.S. 21-13-309, and governing the operation of the model in determining school district foundation program payments in accordance with chapter 13, article 3 of this title and other applicable law. The block grant model, as defined under W.S. 21-13-101(a)(xiv) and as maintained under this subsection, shall be made available for public inspection by the state superintendent in electronic format. Copies of the block grant model spreadsheets as administered under department rule and regulation shall be provided to school districts by the state superintendent for district use in district budgeting and in complying with mandatory financial reporting requirements imposed under W.S. 21-13-307(b) and by other provisions of law. To maintain the integrity of the block grant model, copies of the model and model spreadsheets made available under this subsection for public inspection and school district use shall be by protected version only, prohibiting the editing of model components, model data and model formulas. Following adoption of any recalibration of or modification to the block grant model by the Wyoming legislature, and prior to computing the foundation program amount for each school district under W.S. 21-13-309(p) and determining the amount to be distributed to a district under W.S. 21-13-311 or recaptured from a district subject to W.S. 21-13-102(b), the state superintendent shall certify to the legislature that the block grant model as enacted by the legislature is properly incorporated into the administration of the model for the appropriate school year of model application and is made available for public

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inspection. Technical corrections to model spreadsheets necessary for model administration between any session of the legislature shall be implemented by the state superintendent, shall be in accordance with procedures specified by rule and regulation filed with the secretary of state, ~~and~~ shall be reported to the legislature together with the associated fiscal and technical impact of the correction, and shall be incorporated into the electronic version of the model available for public inspection. As used in this subsection, "technical corrections to model spreadsheets" means corrections necessary to ensure model operation and current school year district payments are in accordance with law and the model is properly computing school foundation program payments to school districts as required by law. Notwithstanding W.S. 16-3-114(c), no judicial review of rules promulgated and adopted under this subsection shall hold unlawful or set aside action of the state superintendent in promulgating or adopting rules unless the rules are by clear and convincing evidence, shown to exceed statutory authority.

21-2-203. School district data collection and funding model administration; duties and responsibilities specified; data advisory committee; school district compliance.

(c) The duties of the department are, in accordance with rules promulgated by the state superintendent, to:

(viii) Assist the state superintendent in implementing W.S. 21-13-309(m)(v)(D) and assist districts with computations necessary for reporting student ~~vocational~~ career-vocational education participation and ~~vocational~~ career-vocational education instruction information;~~;~~

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(ix) Pursuant to W.S. 21-2-202(e), make the education resource block grant model available for public inspection.

21-2-802. Powers and duties; teacher certification; suspension and revocation; certification fees; disposition of collected fees; required data submissions to department of education.

(m) In accordance with criteria and guidelines established by the state superintendent of public instruction, the board shall submit data elements collected from school administrators, teachers and other school district personnel certified under this article to the department of education for housing in the department's data base repository.

21-3-110. Duties of boards of trustees.

(a) The board of trustees in each school district shall:

(xxiii) Implement and administer the reading screening program for students in grades one (1) and two (2) kindergarten through grade three (3) as required by W.S. 21-3-401;

(xxviii) Annually report to the state superintendent on district expenditures for vocational career-vocational education programs, broken down by school, and submitted in a manner and form required by rule and regulation of the state superintendent;

21-3-401. Reading assessment and intervention.

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(a) Each school district shall design and implement a reading screening program that measures student reading progress in ~~grades one (1) and two (2)~~ kindergarten through grade three (3). The screening program shall ~~be designed by each school district~~ include a reading assessment plan using screening instruments approved by the department of education, which is administered to all students in kindergarten through grade three (3), with standardized measures providing statewide longitudinal data and providing the capability for monitoring and measuring reading progress. The program shall also include a plan for implementation of research based core curricula aligned to the statewide educational program standards and ~~shall specifically screen for student performance in reading at grades one (1) and two (2)~~ evidenced based interventions to meet the needs of all students.

(b) ~~Students not screening successfully shall be assessed to identify the specific reading problem and determine its nature.~~ Students not showing appropriate reading competence under this section shall be placed on an individualized reading plan to remedy the reading related difficulty utilizing an appropriate research evidence based intervention program, which may include a group reading plan. For students under an individualized education program (IEP) which addresses reading difficulties, the IEP shall be deemed sufficient to meet the requirements of this subsection and no additional plan shall be required.

(c) ~~For school year 2002-2003 and each school year thereafter,~~ Each district shall annually report to the department of education on the progress of each of its schools toward reaching the goal of eighty-five percent (85%) of ~~identified all~~ students being reading proficient at grade level upon completion of the third grade. The report shall include longitudinal data on all students in

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~~grades one (1) through four (4) identified for intervention. If the goal is not reached, the district shall report the reason the goal was not reached and the steps being taken by the district to solve the problem~~
kindergarten through grade three (3), and shall include the percentage of students meeting or exceeding proficiency levels for the reporting period. Each school not meeting the eighty-five percent (85%) goal specified under this subsection shall submit an improvement plan to the department. At a minimum, the improvement plan shall outline the district's general strategy for increasing reading proficiency for the next school year and shall specifically address the student-teacher ratio, the use of certified tutors and the use of instructional facilitators in kindergarten through grade three (3) in all schools within the district.

21-13-101. Definitions.

(a) As used in this chapter:

(xiv) "Education resource block grant model" means the block grant model for Wyoming school finance contained within the enumeration of model components summarizing and executing recommendations within the 2005 2010 cost of education study as referenced in paragraph (xvii) of this subsection and model spreadsheets provided by the consultant performing the 2005—2010 cost of education study, referenced in paragraph (xviii) of this subsection, all of which are enacted into law, on file with the secretary of state and are on file with maintained and made available for public inspection by the secretary of state state superintendent under W.S. 21-2-202(e), and as may be subsequently modified by the legislature prior to future model recalibration required under W.S. 21-13-309(t);

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(xvii) "Attachment A" to ~~2006 House Bill 0139~~ 2011 House Bill 0127 consists of an enumeration of model components as enacted into law, summarizing and executing recommendations contained within the ~~2005-2010~~ cost of education study, as modified by the legislature, and is hereby incorporated into this chapter by this reference;

(c) ~~The secretary of state shall maintain and make available for public inspection in a hardcopy or electronic format, as applicable, or both, during regular business hours,~~ The education resource block grant model as defined under paragraph (a)(xiv) of this section and as included in "Attachment A" referenced in paragraph (a)(xvii) of this section, ~~and "Attachment B" referenced in paragraph (a)(xviii) of this section,~~ as each are enacted into law, and including any technical correction which may be implemented by rule and regulation of the state superintendent ~~and under W.S. 21-2-202(e), shall be~~ filed with the secretary of state. ~~pursuant to W.S. 21-2-202(e).~~

21-13-102. Maximum rate of school district tax; recapture of excess; equalization of permissive levies.

(b) ~~Except as otherwise provided by law, on January 15, March 15 and May 15 of~~ For each school year: ~~in equal payments of twenty five percent (25%) and the balance to be paid on June 15, each school district shall rebate to the department of education the amount by which the revenue~~

(i) A school district whose revenues from the sources provided by W.S. 21-13-310 ~~exceeds~~ exceed the foundation program costs determined under W.S. 21-13-309 by more than three hundred percent (300%), as estimated to the districts on or before August 15 and as subsequently certified to the districts on or before March 1 of the

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current fiscal year under subsection (e) of this section, ~~to~~ shall rebate fifty percent (50%) of the excess revenues to the department of education by January 15 of the applicable school year. The balance of the excess revenues shall be rebated to the department on or before June 15 of that school year;

(ii) A school district whose revenues specified under W.S. 21-13-310 for any school year exceed the foundation program costs determined under W.S. 21-13-309 by three hundred percent (300%) or less, as estimated and certified under subsection (e) of this section, shall rebate forty percent (40%) of the excess revenues to the department by January 15 of the applicable school year. The balance of the excess revenues shall be rebated to the department on or before June 15 of the applicable school year;

(iii) Amounts rebated under paragraphs (i) and (ii) of this subsection shall be credited to the public school foundation program account defined in W.S. 21-13-101(a)(ix).

21-13-307. Eligibility to share in distribution of money from foundation account; mandatory financial reporting.

(a) Each district which meets the following requirements is eligible to share in the distribution of funds from the foundation account:

(iv) The district shall provide evidence to the state superintendent that the district has maintained an average student-teacher ratio of not greater than sixteen (16) to one (1) for the aggregate of all classes in kindergarten through grade three (3) in the district in the

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preceding school year. The requirement of this paragraph may be waived by the department of education for any district that demonstrates insufficient school facility capacity, positive school performance, positive student achievement or for other reasons related to the delivery of the education program to students. This paragraph shall not apply to charter schools established under W.S. 21-3-301 through 21-3-314. The department shall compute the student-teacher ratio and report it to each district not later than March 1 of each year. To obtain a waiver under this paragraph, a school district shall apply to the department not later than March 15 of each year. The application shall be based on the student-teacher ratio reported by the department of education, together with any other information required by the department. The department shall approve or deny an application for a waiver under this paragraph not later than April 10 of that year. A waiver approved under this paragraph shall be effective for the school year immediately following the application and approval.

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

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

(iv) Based upon reports from each district on schools operating within that district for the current school year and on grade configurations contained within each reported school during that school year, compute the average daily membership (ADM) for each reported school and each grade within each reported school in accordance with identified grade configurations subject to the following:

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(B) For each school year, ~~2006-2007,~~ the configuration of grades for each school shall be based upon the ADM reported for each grade in which students were enrolled for the ~~2005-2006~~ immediately preceding school year;

(C) ~~After the 2006-2007 school year, and~~ Excluding charter schools established under W.S. 21-3-301 through 21-3-314, any modification to the configuration of grades in which students are enrolled during any school year such that the configuration differs from that in which students were enrolled during the ~~2005-2006~~ immediately preceding school year shall be documented by the district within reports submitted under this subsection and shall require approval by the state superintendent. Approval by the state superintendent under this subparagraph shall be based upon appropriate delivery of the required educational program, the cost effectiveness of the modified grade configuration for the delivery of adequate educational services to students and any extraordinary circumstances related to the safe and efficient delivery of the education program to students. This subparagraph relates only to the configuration of schools for application to the education resource block grant model and not to the authority of a district to configure grade levels at each of its schools.

(v) Based upon ADM computations and identified school configurations within each district pursuant to paragraph (iv) of this subsection, compute the foundation program amount for each district as prescribed by the education resource block grant model adopted by the Wyoming legislature as defined under W.S. ~~21-13-103(a)(xiv)~~ 21-13-101(a)(xiv), as contained within the spreadsheets and accompanying reports referenced under W.S. 21-13-101(a)(xvii), ~~and (xviii) and~~ on file with the secretary of state and maintained by the state

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superintendent pursuant to W.S. ~~21-13-101(e)~~ 21-2-202(e). The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

(C) Salaries for all school and district level staffing categories, including teachers, principals and assistant principals, central office administrators, secretarial and clerical staff, operations and maintenance staff and aides and media technicians, shall be based upon average statewide salary levels calibrated for school year 2005-2006 for each staffing category, adjusted under subsection (o) of this section, including the experience, education and responsibility level as appropriate and as computed for each staffing category. The statewide average for each staffing category shall be adjusted for each district based upon the district experience, education and responsibility level relative to the statewide average for that category. District experience, education and responsibility level by appropriate staffing category shall be updated each year such that district adjustments reflect the prior school year staffing information. The district adjusted average salary for each staffing category shall be further adjusted for regional cost differences as measured by the greater of the hedonic wage index or the Wyoming cost-of-living index computed by the division of economic analysis, department of administration and information, with a minimum of one hundred (100) index value, as prescribed by the education resource block grant model. For purposes of the education resource block grant model, the version of the Wyoming cost-of-living index used by the division shall be based upon the unrecalibrated housing cost index weights unless otherwise determined by the legislature based upon recommendation of the joint education interim committee. In addition, the version of the Wyoming cost-of-living index applied under this

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subparagraph for any school year shall be the average of the six (6) consecutive semi-annual index reports completed by January 1 of the immediately preceding school year;

(D) ~~Vocational~~Career-vocational education computations within the education resource block grant model shall be based upon:

(G) Amounts within the block grant model for maintenance and operations shall be based upon actual gross square footage of school buildings and facilities subject to the following:

(II) Actual gross square footage of education space shall be the gross square footage prescribed by statewide building adequacy standards promulgated pursuant to W.S. 21-15-115. Education space capacity in excess of ~~the following specified maximum percentages of~~one hundred fifteen percent (115%) of the standard space level shall not be included in actual gross square footage computations under this subdivision.+

(o) To the extent specifically provided within the school foundation program budget as enacted by the legislature, and between periods of model recalibration required under subsection (t) of this section, the amount computed for each district under subsection (m) of this section shall be adjusted to provide for the effects of inflation, excluding those amounts specified under subparagraphs (m)(v)(E) and (F) of this section, ~~shall be adjusted to provide for the effects of inflation and the assessment component contained in paragraph (b)(xxviii) of "Attachment A" as referenced in W.S. 21-13-101(a)(xvii).~~ The adjustment under this subsection shall not be applied until the expiration of the school year immediately following the first school year of application of the

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recalibrated model, and shall be adjusted on a cumulative basis each school year thereafter and until the first school year of application of a subsequent model recalibration. Following analysis of information reported under subsection (u) of this section, the joint appropriations committee shall submit a recommendation to the legislature and the governor not later than November 1 of each applicable year on an external cost adjustment for purposes of this subsection.

(u) To ensure model components specified under the education resource block grant model defined under W.S. 21-13-101(a)(xiv), as enumerated and enacted by the legislature and included in "Attachment A" referenced in W.S. 21-13-101(a)(xvii), remain resourced at cost-based levels between periods of model recalibration required under subsection (t) of this section, and prior to adjustment for the effects of inflation for any school year under subsection (o) of this section, the joint education interim committee shall annually receive and review reports in accordance with this subsection and report to the joint appropriations interim committee as required by this subsection. The legislative service office shall assemble information necessary to develop a model monitoring process and other reports for the committee using data maintained by the department of education and other state agencies. For this purpose, the department shall annually update and compile information, in a format contained within reports provided during 2010 model recalibration, reported at the model component level, on school district allocation of model resources, as well as other information provided for purposes of developing and completing the 2010 cost of education studies. Each year excluding the first school year of application of any model recalibration performed under subsection (t) of this section, the information and analysis assembled by the legislative service office under

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this subsection shall be reported to the joint education interim committee in sufficient time to allow committee review of and deliberation on the report and the submission of recommendations to the joint appropriations interim committee by October 15 of the applicable school year. Report recommendations shall be used by the joint appropriations interim committee in its determination of legislative recommendation on model adjustment under subsection (o) of this section.

21-13-311. Determination of amount to be distributed to each district from foundation account; undistributed balance; prohibition on expenditures.

(d) Effective school year 2011-2012 and each school year thereafter, no foundation program funds distributed under subsection (a) of this section shall be expended by any district for conducting random drug testing of students within the district without prior approval of the student's parents.

21-13-313. Distribution of funds from foundation account; property tax and cash reserve adjustment; regulations.

(c) ~~One-third (1/3)~~ Fifteen percent (15%) of each district's entitlement shall be paid to the district on or before August 15 of each year ~~and~~ subject to any adjustment under subsections (d) and (e) of this section, ten percent (10%) of each district's entitlement shall be paid on or about the fifteenth day of ~~October and February,~~ each month through April of each year. The final payment for the balance of ~~the entitlements~~ each district's entitlement shall be distributed ~~in equal payments on or before May 15 of each year.~~ If, after March 1 and before April 1, the state superintendent determines that the

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entitlement to be paid to a district for that school year is not accurate, the state superintendent shall make additional adjust payments to or require payments from that district as necessary to correct the inaccuracy as soon as practicable. Except as provided under W.S. 21-2-202(e), after March 31 of any school year, the state superintendent shall not adjust any district's entitlement or fiscal information used to compute a district's entitlement for that school year, and the entitlement or fiscal information shall only be adjusted thereafter in accordance with audit review pursuant to W.S. 9-1-513.

(g) In addition to subsections (b) and (c) of this section, the state superintendent shall, for any district subject to W.S. 21-13-102(b) as determined by the department for any school year, or for any district not subject to W.S. 21-13-102(b) whose entitlement amount determined under W.S. 21-13-311(a) for any school year is equal to or less than twenty percent (20%) of the foundation program amount computed under W.S. 21-13-309(p), and upon demonstration by the district of financial need as documented by cash flow analysis, provide payments from the school foundation program account in an amount equal not to one third (1/3) exceed one-fifth (1/5) of the foundation program amount computed for that district for that school year in accordance with W.S. 21-13-309. The computed amount shall be paid to each eligible district on August 15 or before September 1 based upon tentative computations under W.S. 21-13-309, for which the department may use fiscal information available from foundation program computations for the previous school year in the manner provided under subsection (b) of this section. Any district receiving a payment under this subsection shall repay and repaying the foundation program account by June-December 15 of that school year shall not be assessed interest. After December 15, the district shall be assessed interest at a

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rate equal to the rate specified by W.S. 21-13-316(a) until the payment is repaid in full. In no event shall an advance payment under this subsection extend beyond and remain unpaid by any district, including interest, on and after June 15 of that school year.

21-13-320. Student transportation; amount within school foundation program formula for transportation maintenance and operations expenditures and school bus purchases; district reporting requirements.

(f) The department of education shall adopt necessary rules and regulations to implement and enforce state standards established under this section and to administer this section. District expenditures computed under subsection (b) of this section shall not include expenditures for employee contributions to the Wyoming retirement system exceeding five and fifty-seven hundredths percent (5.57%) of any member employee's salary. In addition, the department shall, in accordance with procedures prescribed by department rule and regulation, establish a base price for each school bus type or other student transportation vehicle type for the applicable fiscal period that complies with minimum state standards for vehicle specifications and equipment. The department shall also establish a process including competitive bidding which guarantees the acquisition of school buses and other student transportation vehicles approved for reimbursement and complying with state minimum standards and district fleet size restrictions at the established base price for the applicable fiscal year. In addition and for purposes of reimbursement under subsection (g) of this section, the department shall in consultation with the pupil transportation committee, establish a minimum, average and optimal replacement schedule for each school bus type or other student transportation vehicle type.

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School districts shall notify the department of school bus and other student transportation vehicle needs and requirements for the appropriate fiscal year in the manner and within the times prescribed by department rule and regulation, and shall report expenditures, purchases and lease arrangements for the applicable reporting period, including vehicles replaced by purchases and leases, as required by department rule and regulation. The department shall annually review and conduct audits as necessary of information submitted under this section. As authorized under W.S. 21-13-307(b), the department may correct the information reported by districts under this section as necessary to fairly and accurately reflect the data type, classification and format required to administer this section in accordance with law and department rules and regulations.

21-13-321. Special education; amount within foundation program formula for special education programs and services; district reporting requirements.

(d) The department of education shall adopt necessary rules and regulations to implement and administer this section. Districts shall report special education program expenditures for the applicable reporting period as required by department rule and regulation. District expenditures computed under subsection (b) of this section shall not include expenditures for employee contributions to the Wyoming retirement system exceeding five and fifty-seven hundredths percent (5.57%) of any member employee's salary. The department shall annually review and report to the joint education interim committee regarding services provided to special education students by school districts. The report shall evaluate the extent to which services are being appropriately provided and whether expenditures for services are reasonable in light of charges by providers of

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similar services in Wyoming. In addition, the department shall when necessary, conduct audits of information submitted by districts under this section and may, in accordance with W.S. 21-13-307(b), correct the information reported by districts as necessary to fairly and accurately reflect the data type, classification and format required to administer this section in accordance with law and department rule and regulation.

21-13-335. Supplemental financial assistance program for instructional facilitators and instructional coaches.

(d) Financial assistance under this section shall be based upon prior year school level attendance and configuration reports submitted by each eligible school district pursuant to W.S. 21-13-309(m)(iv). Grant amounts shall be computed by the department for the eligible applicant district as if the education resource block grant model contained the following component for instructional facilitators, funded at an amount equal to sixty percent (60%) for each full-time equivalent position, prorated up and down from the FTE position level specified for each prototype similar to computational operation of other components within the block grant model:

(iv) "FTE" and "ADM" as used in this section shall be as defined in ATTACHMENT "A", ~~to 2006 Wyoming Session Laws, Chapter 37,~~ as referenced in W.S. 21-13-101(a)(xvii).

(e) Financial assistance to each qualifying applicant school district shall be made by the department from amounts appropriated by the legislature to the foundation program account for purposes of the program established by this section and shall be in addition to the foundation program amount computed for that district under W.S.

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21-13-309(p). If there is an insufficient amount within the foundation program account from amounts appropriated by the legislature for financial assistance under this section for any school year, the department shall make a pro rata reduction in financial assistance payments among all qualifying districts for that school year. District expenditures of amounts distributed under this section shall be solely for district instructional facilitator and instructional coaching programs in accordance with the program documentation submitted by the district under subsection (b) of this section. The department may withhold a portion or the entire amount to be distributed to any district under this section for noncompliance with program documentation required to be submitted by the applicant district. Any appropriated amounts not expended or encumbered under this subsection as of July 1 of that school year immediately following the school year for which the appropriation applies, shall revert to the foundation program account.

Section 2.

(a) 2006 Wyoming Session Laws, Chapter 37, ATTACHMENTS "A" and "B", W.S. 21-13-101(a)(xviii) and 21-13-309(m)(v)(G)(II)(1) and (2) are repealed.

(b) 2011 Senate File 0001, Section 205, Footnote 4 is repealed.

Section 3. On or before November 1, 2011, the legislative service office shall report to the joint education interim committee and the joint appropriations interim committee on the implementation of required reporting mechanisms under W.S. 21-13-309(u), as created under section 1 of this act. This report shall specify cost of system indicators designed to identify possible

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cost pressures on the Wyoming education resource block grant funding model in categories and model components specified under the 2010 cost of education study. The report shall also prescribe a model monitoring process and methodology such that when triggered, the need for additional in-depth examination of cost integrity is required. Further, the report shall identify necessary data collections for proper analysis of system indicators. The department of education, school districts, the professional teaching standards board and other state agencies shall assist the legislative service office as necessary to carry out this section.

Section 4.

(a) For the period commencing upon the effective date of this section and ending June 30, 2012, three hundred fifty thousand dollars (\$350,000.00) is appropriated from the public school foundation program account to the department of education to carry out duties imposed upon the state superintendent under W.S. 21-2-202(a)(xxxii), as amended by section 1 of this act.

(b) In addition to subsection (a) of this section and for purposes of implementing W.S. 21-2-202(a)(xxxii), as amended under section 1 of this act, in multiple phases, the state superintendent is authorized:

(i) For the period commencing on the effective date of this section and ending June 30, 2012, one (1) at-will position to be funded from amounts appropriated to the Wyoming professional teaching standards board from within the special reserve fund account under 2010 Wyoming Session Laws, Chapter 39;

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(ii) For the period commencing July 1, 2011, and ending June 30, 2012, and from within existing department funds, the continuation of one (1) of the two (2) at-will positions originally funded under 2010 Wyoming Session Laws, Chapter 39, Section 334(f)(i).

(c) On or before October 1, 2011, the department of education shall report to the joint education interim committee and the joint appropriations interim committee on the expansion of the data repository required under W.S. 21-2-202(a)(xxxii), as amended under section 1 of this act. The report shall include action plans and funding necessary to implement completion of system transition of certificated personnel records from the professional teaching standards board to the department, including implementation of an on-line certification and certification renewal system and the completion of data migration to the department's data repository.

Section 5.

(a) Each school district subject to W.S. 21-13-102(b) for school year 2010-2011, shall on or before July 31, 2011, report the information specified under this section to the department of education. The department shall compile the information and by August 31, 2011, submit the compilation to the legislative service office for distribution to members of the joint education interim committee and the joint appropriations interim committee. Information to be reported by applicable school districts under this section includes the following:

(i) A cash flow analysis, detailing district monthly expenditures and revenues during the reporting period;

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(ii) Monthly cash balances for each month during the 2010-2011 school year;

(iii) Amounts borrowed by the district during the reporting period necessary to cover district expenditures;

(iv) Earnings on excess revenues during the reporting period.

Section 6.

(a) Except as provided under subsection (b) of this section, this act is effective July 1, 2011.

(b) Notwithstanding subsection (a) of this section, sections 4 and 5 of this act are 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.

ATTACHMENT "A"

ATTACHMENT "A" CONTAINS AN ENUMERATION OF EDUCATION RESOURCE BLOCK GRANT MODEL COMPONENTS SUMMARIZING AND EXECUTING RECOMMENDATIONS CONTAINED IN THE 2010 COST OF EDUCATION STUDY AS FOLLOWS:

(a) For purposes of this attachment:

(i) "ADM" means as defined under W.S. 21-13-101(a)(i) and reflects a per student computation;

(ii) "FTE" means the full time equivalency basis as computed in accordance with guidelines prescribed by rule and regulation of the department of education.

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(b) Notwithstanding components specified in the 2010 cost of education study accepted by the legislature, the Wyoming education resource block grant model components and the resourcing for those components, as enacted by the legislature, shall be as follows:

- (i) Full-day kindergarten: Funded for all elementary schools.
- (ii) Class size: 16 for grades Kindergarten through 5;
21 for grades 6 through 12.
- (iii) Core teachers: Elementary school ADM divided by 16;
Middle school ADM divided by 21;
High school ADM divided by 21.
- (iv) Specialist teachers: Elementary schools: 20% of core teachers;
Middle and high schools: 33% of core teachers.
- (v) Minimum teachers: 6.0 for elementary schools with greater than 49 ADM;
8.0 for middle schools with greater than 49 ADM;
10.0 for high schools with greater than 49 ADM.
- (vi) Instructional facilitators: Computed in accordance with W.S. 21-13-335.

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- (vii) Tutors: 1.0 FTE teacher position for every 100 at-risk students with a minimum of 1.0 FTE teacher position for prototypical elementary, middle and high schools, resourced at the highest-grade prototype using the total school ADM.
- (viii) ELL: 1.0 FTE teacher position for every 100 ELL students.
- (ix) Extended day: Computed in accordance with W.S. 21-13-334.
- (x) Summer school: Computed in accordance with W.S. 21-13-334.
- (xi) Alternative schools: 1.0 assistant principal position plus 1.0 FTE teacher position for every 7 ADM.
- (xii) Substitutes: Additional 5% of ADM generated core, specialist, tutor, instructional facilitator, summer school and extended day teacher positions at \$99.25/day plus 7.65% for benefits.
- (xiii) Supervisory aides: 2.0 for 288 ADM prototypical elementary school;

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2.0 for 315 ADM prototypical
middle school;
5.0 for 630 ADM prototypical
high school;
Resourced at the highest-
grade prototype using total
school ADM.

(xiv) Pupil support: 1.0 FTE teacher position
for every 100 at-risk
students with a minimum of
1.0 FTE teacher position for
prototypical elementary,
middle and secondary schools
resourced at highest-grade
prototype using total school
ADM;

1.0 FTE guidance counselor
position for every 250
secondary ADM.

(xv) Librarian: 1.0 for each prototypical
elementary;
1.0 for 105 to 630 ADM
prototypical middle and high
school, prorated down below
105 ADM and prorated up for
631 ADM and above, resourced
at highest-grade prototype
using total school ADM.

(xvi) Library media tech: 1.0 for each 315
ADM prototypical middle and
high school, prorated up and
down.

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- (xvii) Principal: 1.0 for all schools down to 96 ADM elementary and 105 ADM middle and high, prorated by ADM below these ADM levels.
- (xviii) Assistant principal: Begin phasing in 1.0 assistant principal position for every 288 elementary school ADM beginning at 289 ADM; Begin phasing in 1.0 assistant principal position for every 315 middle and high school ADM beginning at 316 ADM; Resource at the highest-grade prototype using total school ADM.
- (xix) Secretary: 1.0 for all schools down to 96 ADM elementary and 105 ADM middle and high, prorated by ADM below these ADM levels; 1.0 for 105 to 315 ADM prototypical middle school, prorated down below 105 ADM and prorated up for 316 ADM and above; 1.0 for 105 to 630 prototypical high school ADM, prorated down below 105 ADM and prorated up for 631 ADM and above;

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Resource at the highest-grade prototype using total school ADM.

- (xx) Clerical: 1.0 for 288 ADM prototypical elementary school;
1.0 for 315 ADM prototypical middle school;
2.0 for 315 ADM prototypical high school;
All FTE positions prorated up and down from prototypical level, resourced at the highest-grade prototype using total school ADM.
- (xxi) Books/Ins. Materials: \$333.43/elementary and middle school ADM;
\$408.26/high school ADM.
- (xxii) Computers, equipment: \$333.43/ADM.
- (xxiii) Special education: 100% state reimbursement of prior year actual expenditures computed in accordance with W.S. 21-13-321.
- (xxiv) Gifted: \$29.19/ADM.
- (xxv) Vocational education: 0.29 times FTE vocational education ADM;
\$9,027.27/FTE vocational education teacher for equipment and supplies.

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(xxvi) Student activities: Resource under the following school configurations:
K-5 elementary school: \$24.05/ADM;
6-8 middle school: From \$791.02/ADM at 1 ADM school to \$204.38/ADM for 1,260 ADM school;
9-12 high school: From \$2,039.09/ADM for 1 ADM school to \$601.08/ADM for 1,260 ADM school;
Alternative school: \$288.98/ADM.

(xxvii) Professional development: 10 pupil free days as resourced in teacher salary under paragraph (xxxvii) of this subsection; Plus \$116.76/ADM for trainers.

(xxviii) Assessment: \$37.70/ADM, which amount is not subject to any adjustment made pursuant to W.S. 21-13-309(o).

(xxix) Central office staff: District ADM 500 and below:
3 administrative and 3 secretarial;
District ADM from 500 to 1,000:

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Proration of an additional administrative and secretarial position;
District ADM at 1,000:
4 administrative and 4 secretarial;
adjusted upwards to 3,500 ADM.
District ADM from 1,000 to 3,500 ADM:
Proration of additional administrative and secretarial positions;
District ADM at 3,500:
8 administrative and 10 secretarial;
prorated up for districts with ADM greater than 3,500.

(xxx) Central office nonpersonnel expenses:
\$350.28/ADM.

(xxxii) Transportation: 100% state reimbursement of prior year actual expenditures computed in accordance with W.S. 21-13-320.

(xxxiii) Food services: Assumed to be self supporting program.

(xxxiiii) Maintenance and operations: Based on ADM, gross square footage, number of buildings and classrooms, age of buildings and site acreage for

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custodians, maintenance workers and groundskeepers, computed in accordance with the 2010 cost of education study. Any building without allowable gross square footage for purposes of major maintenance computations under W.S. 21-15-109 shall use the actual educational gross square footage as approved by the school facilities commission. Groundskeeper FTE computations shall be based upon the lesser of the actual site acreage on which the facility is situated as defined by department rule and regulation, or the school facility guidelines and site acreages established by the school facilities commission under W.S. 21-15-114. Acreages acquired on or prior to July 1, 1997, and acreages acquired after July 1, 1997 through an exchange with another governmental entity if the acreages involved in the exchange were originally acquired by the district and the governmental entity on or prior to July 1, 1997, shall not be subject to

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groundskeeper FTE computation
limitations.

(xxxiv) M & O supplies: \$0.64 per 110% of gross
square feet of authorized
education space.

(xxxv) Utilities: Actual 2009-2010 expenditures
by district. For additional
school buildings added to
district building inventories
after 2009-2010, 100% of
2009-2010 district average
utility expenditures per
gross square foot for
district school buildings
multiplied by the additional
authorized educational square
footage.

(xxxvi) School adjustments: For all schools
with 49 or fewer ADM,
resource with 1.0 assistant
principal position plus 1.0
FTE teacher position for
every 7 students for all
staff;
For all schools within a
district comprised of less than
243 total K-12 ADM and
notwithstanding all other
teacher resources, resource
each school with a minimum of
1.0 core teacher at every grade
with reported ADM, plus 20% of
core teachers for elementary

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specialist teachers and 33% of core teachers for middle and high school specialist teachers;

For a K-6 school, resource as elementary school;

For a 5-8 or 6/7-9 school, resource as middle school;

For a K-7, K-8 or K-9 school, resource K-5 teachers as elementary school and remaining teachers as middle school, and resource all other staff resources at the highest-grade prototype;

For K-12 school, resource K-5 teachers as elementary, 6-8 teachers as middle and 9-12 as high school, and resource all other staff resources at the highest-grade prototype;

For 6/7-12 school, resource 6-8 teachers middle school and 9-12 teachers as high school, and resource all other staff resources at the highest-grade prototype.

(xxxvii) Average Salaries:

Teachers* (includes 10 pupil free days)	\$ 50,662.03
Principals	\$ 83,072.43
Assistant principals	\$ 69,702.30
Superintendents	\$106,892.58
Assistant superintendents	\$ 85,514.06
Business managers	\$ 72,079.04
Aides	\$ 18,445.82

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Library media technicians	\$ 43,500.93
Central office secretaries	\$ 34,885.39
School secretaries	\$ 32,409.86
School clerical staff	\$ 24,930.49
Maintenance and operations:	
Maintenance workers/groundskeepers	\$ 35,775.69
Custodians	\$ 29,843.38

*"Teachers" under this paragraph include core and specialist teachers, instructional facilitators, tutors, ELL teachers, extended day teachers, summer school teachers, pupil support staff, secondary school guidance counselors and librarians.

(xxxviii) Benefits: 21.10% plus health as computed under W.S. 21-13-309(m) (v) (F) .

(xxxix) Regional cost adjustment: As computed under W.S. 21-13-309(m) (v) (C) .

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(x1) External cost adjustment: Analysis of
appropriate cost indices for
professional and
nonprofessional labor, energy
and materials.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk