

HOUSE BILL NO. HB0139

School finance amendments.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to school finance; implementing 2005
2 recalibration modifications to the Wyoming education
3 resource block grant model; imposing, modifying and
4 clarifying duties of the secretary of state, state
5 superintendent, department of education, school districts
6 and the school facilities commission and specifying model
7 recalibration parameters; eliminating superseded,
8 superfluous and fully executed statutes; expanding
9 mandatory school day of operation; providing for a summer
10 school grant program; implementing a hold harmless
11 provision; requiring additional education studies and
12 reports; providing appropriations; and providing for
13 effective dates.

14

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

16

1 **Section 1.** W.S. 9-1-513(b)(ii), (ix) and (d),
2 21-2-202(a)(xxvi), (xxvii), (xxix) and by creating a new
3 subsection (e), 21-2-203(a), (c)(intro), (ii)(intro), (B),
4 (viii), (d)(intro) and (e)(i), 21-3-110(a)(xxviii),
5 21-3-314(a)(intro), (i), (iii), (iv) and (c)(i)(intro),
6 21-12-105(a), 21-13-101(a)(viii), (xiv), (xvi), by creating
7 new paragraphs (xvii) and (xviii) and by creating a new
8 subsection (c), 21-13-102(a)(i)(A) and (ii)(A),
9 21-13-307(a)(ii)(intro) and (b), 21-13-309(m)(intro), by
10 creating new paragraphs (iv) and (v), (o)(intro), (p) and
11 (t), 21-13-313(c), 21-13-320(a) and (b)(intro),
12 21-13-321(b) and (g), 21-13-324(a)(iii) and (b),
13 21-15-109(c)(ii)(C) and (iii)(intro) and 21-20-201(f) are
14 amended to read:

15

16 **9-1-513. School finance audits and management**
17 **studies.**

18

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

21

22 (ii) Conduct management studies of school
23 districts including program evaluations and performance
24 audits, on issues identified by the advisory committee to

1 the ~~division of data management and reporting of the~~
2 department of education, as established under W.S.
3 21-2-203(d);

4
5 (ix) ~~In addition to~~ As a part of the
6 requirements under paragraph (i) of this subsection,
7 conduct periodic audits of vocational education information
8 and computations submitted by districts ~~in accordance with~~
9 ~~W.S. 21-13-329~~ as necessary for implementation of W.S.
10 21-13-309(m)(v)(D) and include audit findings in the report
11 to the department of education required under paragraph
12 (iv) of this subsection and the report to the legislature
13 required under paragraph (viii) of this subsection. Each
14 district shall be audited for purposes of this paragraph
15 not less than once every three (3) years.

16
17 (d) The director or his designee shall participate in
18 the advisory committee to the ~~division of data management~~
19 ~~and reporting of the~~ department of education, as required
20 under W.S. 21-2-203(d).

21
22 **21-2-202. Duties of the state superintendent.**
23

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

3
4 (xxvi) Establish criteria and guidelines for the
5 identification of vocational education courses by
6 districts, for the computation of full-time equivalent
7 (FTE) students participating in vocation education courses
8 and for the determination of full-time equivalent (FTE)
9 vocational education teachers, and provide for the annual
10 collection of information necessary to implement and
11 administer W.S. ~~21-13-329~~ 21-13-309 (m) (v) (D) ;

12
13 (xxvii) Develop a process and procedures
14 necessary for consideration of district waivers ~~authorized~~
15 ~~under W.S. 21-13-329 for~~ from specified instructional and
16 career-vocational education program requirements specified
17 under W.S. 21-13-309 (m) (v) (D), including incentives
18 encouraging teacher certification and program course
19 sequencing compliance, + subject to district submission of
20 the following:

21
22 (A) Verification of the alignment of the
23 proposed course or program with the state content and

1 performance standards for career-vocational education
2 programs;

3
4 (B) Documentation of the additional costs
5 associated with the proposed course or program including
6 class size and specialized equipment needs; and

7
8 (C) If applicable, documentation of
9 experiences and education of a noncertified teacher that
10 would otherwise qualify the teacher to instruct the
11 proposed course.

12
13 (xxix) By rule and regulation, provide for the
14 reporting of district vocational education expenditures ~~. of~~
15 ~~amounts distributed under W.S. 21-13-329.~~

16
17 (e) In addition to paragraph (a)(i) of this section,
18 the state superintendent shall promulgate rules and
19 regulations governing the administration of the Wyoming
20 education resource block grant model adopted by the Wyoming
21 legislature as defined under W.S. 21-13-309, and governing
22 the operation of the model in determining school district
23 foundation program payments in accordance with chapter 13,
24 article 3 of this title and other applicable law. Copies

1 of the block grant model spreadsheets as administered under
2 department rule and regulation shall be provided to school
3 districts by the state superintendent for district use in
4 district budgeting and in complying with mandatory
5 financial reporting requirements imposed under W.S.
6 21-13-307(b) and by other provisions of law. Following
7 adoption of any recalibration of or modification to the
8 block grant model by the Wyoming legislature, and prior to
9 computing the foundation program amount for each school
10 district under W.S. 21-13-309(p) and determining the amount
11 to be distributed to a district under W.S. 21-13-311 or
12 recaptured from a district subject to W.S. 21-13-102(b),
13 the state superintendent shall certify to the legislature
14 that the block grant model as enacted by the legislature is
15 properly incorporated into the administration of the model
16 for the appropriate school year of model application.
17 Technical corrections to model spreadsheets necessary for
18 model administration between any session of the legislature
19 shall be implemented by the state superintendent, shall be
20 in accordance with procedures specified by rule and
21 regulation filed with the secretary of state and shall be
22 reported to the legislature together with the associated
23 fiscal and technical impact of the correction. As used in
24 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.

(a) The ~~purpose of this section is to consolidate responsibility for collection of~~ department shall collect data for the state's school finance system and in ~~a single entity within the department of education~~ accordance with rule and regulation of the state superintendent, administer the Wyoming education resource block grant model adopted by the Wyoming legislature pursuant to W.S. 21-13-309. As used in this section, "school finance system" means all statutes

1 related to the terms and conditions under which funds from
2 Wyoming sources are made available under Wyoming law to the
3 public schools for school operations. ~~or for school~~
4 ~~facilities.~~ The ~~new~~ school finance system established
5 following a 1995 Wyoming supreme court decision, and
6 subsequently modified and recalibrated as required under
7 W.S. 21-13-309(t), is extremely complex and requires timely
8 and accurate data to be administered fairly and accurately.
9 It is essential that a single entity be established to
10 ensure that fair and accurate administration is
11 accomplished.

12

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

16

17 (ii) Collect data from school districts
18 necessary for the department to administer the school
19 finance system. In accomplishing this, the ~~division~~
20 department shall:

21

22 (B) Consult with the ~~division's~~ advisory
23 committee created under subsection (d) of this section with

1 respect to the type and format of data to be reported and
2 the administration of the system generally.

3
4 (viii) Assist the state superintendent in
5 implementing W.S. ~~21-13-329~~ 21-13-309(m) (v) (D) and assist
6 districts with computations necessary for reporting student
7 vocational education participation and vocational education
8 instruction information.

9
10 (d) The state superintendent of public instruction
11 shall establish an advisory committee ~~to the division~~
12 consisting of not less than seven (7) members. This
13 advisory committee shall have representatives from among
14 Wyoming school districts, other state agencies involved in
15 the administration of the school finance system, shall
16 include the director of the department of audit or his
17 designee, and shall include at least one (1) representative
18 from the independent auditor community within the state.
19 The committee shall meet at least twice annually and at the
20 call of the ~~administrator of the division~~ state
21 superintendent or his designee. The duties of the advisory
22 committee are to:

23

1 (e) On and after July 1, 2005, the following shall
2 apply:

3
4 (i) All data or reports required to be submitted
5 to the ~~division~~department by school districts in
6 accordance with law or rules shall include a statement by
7 the superintendent of the district certifying that the data
8 submitted is complete, accurate and conform with all
9 reporting requirements;

10
11 **21-3-110. Duties of boards of trustees.**

12
13 (a) The board of trustees in each school district
14 shall:

15
16 (xxviii) Annually report to the state
17 superintendent on ~~the expenditure of amounts distributed to~~
18 ~~the~~ district ~~under W.S. 21-13-329~~expenditures for
19 vocational education programs, broken down by school, and
20 submitted in a manner and form required by rule and
21 regulation of the state superintendent.

22
23 **21-3-314. Students counted among district ADM;**
24 **determination of charter school funding.**

1

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

10

11 (i) Notwithstanding W.S. 21-13-309(m)(iv)(A), in
12 the first year of operation, the average daily membership
13 for the charter school shall be multiplied by two (2),
14 ~~subject to~~ based on the following:

15

16 (A) Initial average daily membership shall
17 be calculated based upon the March 1 list of students who
18 intend to enroll in the charter school as required under
19 subsection (b) of this section;

20

21 (B) The average daily membership of the
22 charter school computed under subparagraph (i)(A) of this
23 subsection shall be adjusted ~~at the sixty (60) day~~
24 ~~recalculation date in accordance with W.S. 21-13-309(q)(i)~~

1 by the enrollment count taken on October 1 of the first
2 year of operation.

3
4 (iii) For purposes of W.S. ~~21-13-309(q), school~~
5 ~~district membership shall not include the~~
6 21-13-309(m)(iv)(A), and upon charter school operation for
7 three (3) consecutive school years, charter school average
8 daily membership computed under paragraph (i) of this
9 subsection ~~in~~ shall be divided by two (2) prior to
10 computing the ~~district's~~ school's ADM averaged over the
11 three (3) immediately preceding school years;

12
13 (iv) Notwithstanding W.S. 21-13-309(m)(iv)(A),
14 in the second and third year of charter school operation,
15 ~~any increase in~~ the average daily membership of a charter
16 school ~~resulting from the sixty (60) day recalculation for~~
17 ~~that school on the date specified by W.S. 21-13-309(q)(i)~~
18 ~~shall be multiplied by the foundation amount for that~~
19 ~~district as computed under W.S. 21-13-309(p). The increase~~
20 ~~in foundation funds received by the district under this~~
21 ~~paragraph shall be applied by the district to that charter~~
22 ~~school in determining funding under subsections (c) and (d)~~
23 ~~of this section~~ shall be based upon the prior school year

1 average daily membership adjusted by the enrollment count
2 taken on October 1 of the applicable school year.

3
4 (c) As part of the charter school contract, the
5 charter school and the school district shall agree on
6 funding and any services to be provided by the school
7 district to the charter school. The charter school and the
8 school district shall begin discussions on the contract
9 using the following revenue assumptions:

10
11 (i) The charter school shall be entitled to the
12 benefit of ~~ninety five percent (95%)~~ one hundred percent
13 (100%) of the foundation program amount computed under W.S.
14 ~~21-13-309(p)~~ 21-13-309(m) based upon the average daily
15 membership of the charter school, less ~~+~~ any district level
16 amounts generated by the charter school's membership under
17 W.S. 21-13-309(m) and less amounts specified under W.S.
18 21-13-309(m) (v) (E) .

19
20 **21-12-105. Career-vocational education program**
21 **grants; application; criteria; limitations; expiration.**

22
23 (a) A school district may apply to the state
24 department of education for state assistance to fund

1 expenses associated with the planning, development and
2 implementation of a new or the expansion of an existing
3 career-vocational education program within any high school
4 in the district. As used in this section, "career-
5 vocational education program" shall be as ~~defined by~~
6 specified in W.S. ~~21-13-329(a)(i)~~ 21-13-309(m)(v)(D)(II).
7 Amounts awarded under this section shall be used to fund
8 curricular development and program design costs, employ
9 certified teachers to provide course instruction during the
10 introductory year and to fund initial purchases of
11 equipment and supplies necessary for program delivery. Any
12 amount awarded to a district under this section shall be in
13 addition to and not be considered in determining the
14 ~~vocational education adjustment to~~ school foundation
15 program amount under the education resource block grant
16 model ~~under~~ pursuant to W.S. ~~21-13-329~~ 21-13-309. No grant
17 awarded under this section shall exceed fifty thousand
18 dollars (\$50,000.00) for the expansion of any existing
19 program nor more than one hundred thousand dollars
20 (\$100,000.00) for the implementation of any new program,
21 and no one (1) district is eligible for a grant within two
22 (2) years after receiving a grant award under this section.

23

24 **21-13-101. Definitions.**

1

2 (a) As used in this article:

3

4 (viii) "Kindergarten" means a class of
5 pre-first-grade students; ~~attending classes in half day~~
6 ~~sessions or the equivalent amount of time;~~

7

8 (xiv) "Education resource block grant model"
9 means the block grant model for Wyoming school finance ~~as~~
10 contained within the ~~January 2002 cost of education studies~~
11 ~~and the accompanying spreadsheet~~ enumeration of model
12 components summarizing and executing recommendations within
13 the 2005 cost of education study as referenced in paragraph
14 (xvii) of this subsection and model spreadsheets provided
15 by the consultant performing the ~~studies,~~ 2005 cost of
16 education study referenced in paragraph (xviii) of this
17 subsection, all of which are enacted into law and are on
18 file with the secretary of state, and as may be
19 subsequently modified by the legislature prior to future
20 model recalibration required under W.S. 21-13-309(t);

21

22 (xvi) "Prototypical school model" means ~~the a~~
23 school level, comprised of cost, resource and enrollment
24 parameters, as ~~based upon~~ described within the education

1 resource block grant model. The ~~three (3)~~ separate school
2 levels identified with the model are as follows:

3

4 (A) Elementary school - kindergarten
5 through grade five (5) ~~+~~ modeled at cost and resource levels
6 for:

7

8 (I) Greater than forty-nine (49) ADM;

9

10 (II) Ninety-six (96) ADM;

11

12 (III) One hundred ninety-two (192)

13 ADM; and

14

15 (IV) Two hundred eighty-eight (288)

16 ADM.

17

18 (B) Middle school - grades six (6) through
19 eight (8) ~~+~~ and modeled at cost and resource levels for:

20

21 (I) Greater than forty-nine (49) ADM;

22

23 (II) One hundred five (105) ADM;

24

1 (III) Two hundred ten (210) ADM; and

2

3 (IV) Three hundred fifteen (315) ADM.

4

5 (C) High school - grades nine (9) through
6 twelve (12) modeled at cost and resource levels for:

7

8 (I) Greater than forty-nine (49) ADM;

9

10 (II) One hundred five (105) ADM;

11

12 (III) Two hundred ten (210) ADM;

13

14 (IV) Three hundred fifteen (315) ADM;

15 and

16

17 (V) Six hundred thirty (630) ADM.

18

19 (xvii) "Attachment A" to 2006 House Bill XXX
20 consists of an enumeration of model components as enacted
21 into law, summarizing and executing recommendations
22 contained within the 2005 cost of education study, as
23 modified by the legislature, and is hereby incorporated
24 into this chapter by this reference;

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(xviii) "Attachment B" to 2006 House Bill XXX consists of the model spreadsheets, as enacted into law and as may from time to time be modified by the legislature, implementing the 2005 cost of education study and the enumeration of model components at Attachment A referenced in paragraph (xvii) of this subsection, 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 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.

1

2 (a) Except as otherwise provided by law, the maximum
3 rate of school district tax that may be levied for all
4 school purposes, exclusive of bond interest and redemption,
5 for any school district in any school year on each dollar
6 of assessed valuation within the school district is as
7 follows:

8

9 (i) In a unified school district:

10

11 (A) Twenty-five (25) mills shall be levied
12 for combined elementary, junior high and high school
13 purposes ~~.~~ ~~and~~

14

15 (ii) In any nonunified school district
16 consisting of kindergarten through grade eight (8):

17

18 (A) Twenty-five (25) mills shall be levied
19 for school purposes ~~.~~ ~~and~~

20

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

24

1 (a) Each district which meets the following
2 requirements is eligible to share in the distribution of
3 funds from the foundation account:
4

5 (ii) Operated all schools for a term of at least
6 ~~one hundred eighty (180)~~ one hundred eighty-five (185) days
7 or the number of days or equivalent hours authorized under
8 an alternative schedule approved by the state board during
9 the previous school year. If the school term of any school
10 in a district was less than ~~one hundred eighty (180)~~ one
11 hundred eighty-five (185) days or less than the total
12 number of days authorized under an alternative schedule
13 approved by the state board, the amount allotted per
14 average daily membership (ADM) under W.S. 21-13-309 for the
15 school shall be in proportion to the length of the term the
16 school actually operated, unless caused by closures of
17 schools:
18

19 (b) Each district shall provide financial reports to
20 the ~~state~~ department on forms and in such manner required
21 by the ~~division of data management and reporting~~ department
22 under W.S. 21-2-203 and by rules and regulations
23 promulgated by the state superintendent of public
24 instruction pursuant to this article. In administering this

1 article, the state superintendent may conduct audits of
2 information submitted by districts under this article as
3 necessary to administer and perform computations pertaining
4 to the cost components within the education resource block
5 grant model, and may, after consulting and negotiating with
6 the school district, correct the information reported by
7 districts under this article to fairly and accurately
8 reflect the data type, classification and format necessary
9 to perform computations required to administer the school
10 finance system established under this article.

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

14
15 (m) In determining the amount to be included in the
16 foundation program for each district, the state
17 superintendent shall: ~~first compute for each district a~~
18 ~~district model amount per average daily membership (ADM) as~~
19 ~~follows:~~

20
21 (iv) Based upon reports from each district on
22 schools operating within that district for the current
23 school year and on grade configurations contained within
24 each reported school during that school year, compute the

1 average daily membership (ADM) for each reported school and
2 each grade within each reported school in accordance with
3 identified grade configurations subject to the following:

4
5 (A) The average daily membership (ADM) for
6 each reported school shall be computed based upon the
7 average of the school's ADM counts completed at the end of
8 the three (3) immediately preceding school years or the
9 school's ADM for the previous school year, whichever is
10 greater;

11
12 (B) For school year 2006-2007, the
13 configuration of grades for each school shall be based upon
14 the ADM reported for each grade in which students were
15 enrolled for the 2005-2006 school year;

16
17 (C) After the 2006-2007 school year, and
18 excluding charter schools established under W.S. 21-3-301
19 through 21-3-314, any modification to the configuration of
20 grades in which students are enrolled during any school
21 year such that the configuration differs from that in which
22 students were enrolled during the 2005-2006 school year
23 shall be documented by the district within reports
24 submitted under this subsection and shall require approval

1 by the state superintendent. Approval by the state
2 superintendent under this subparagraph shall be based upon
3 appropriate delivery of the required educational program,
4 the cost effectiveness of the modified grade configuration
5 for the delivery of adequate educational services to
6 students and any extraordinary circumstances related to the
7 safe and efficient delivery of the education program to
8 students. This subparagraph relates only to the
9 configuration of schools for application to the education
10 resource block grant model and not to the authority of a
11 district to configure grade levels at each of its schools.

12
13 (v) Based upon ADM computations and identified
14 school configurations within each district pursuant to
15 paragraph (iv) of this subsection, compute the foundation
16 program amount for each district as prescribed by the
17 education resource block grant model adopted by the Wyoming
18 legislature as defined under W.S. 21-13-103(a)(xiv), as
19 contained within the spreadsheets and accompanying reports
20 referenced under W.S. 21-13-103(a)(xvii) and (xviii) and on
21 file with the secretary of state pursuant to W.S.
22 21-13-103(c). The following criteria shall be used by the
23 state superintendent in the administration of the education
24 resource block grant model:

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(A) At-risk students, for purposes of model computations, shall include students within a school who are eligible for participation in the free and reduced price lunch program under the national school lunch program established by 42 U.S.C. 1751 et seq., who are identified as limited English proficiency in accordance with rules and regulations of the department of education or who are mobile students as defined by department rule and regulation and enrolled in grades six (6) through twelve (12) for the applicable school year. A student shall be counted only once for purposes of computing school at-risk student populations even though that student may simultaneously be eligible to participate in the free and reduced price lunch program, in programs serving students with limited English proficiency or is defined as a mobile student;

(B) Alternative schools qualifying for separate consideration under the education resource block grant model may be established by a school district for offering educational programs to students with educational needs which the district finds are not appropriately met by other schools in the district, excluding charter schools

1 established under W.S. 21-3-301 through 21-3-314.
2 Alternative schools included within a district's
3 configuration of schools identified under paragraph (iv) of
4 this subsection shall for purposes of the education
5 resource block grant model be subject to subdivision (III)
6 of this subparagraph and meet either subdivision (I) or
7 (II) of this subparagraph:

8
9 (I) Be approved as an alternative
10 school by the department of education prior to July 1,
11 2006;

12
13 (II) After July 1, 2006, through
14 teachers and accompanying staff within the alternative
15 school facility, provide a program in an alternative
16 learning environment that complies with criteria
17 established by rule and regulation of the department,
18 provide the required statewide educational program
19 prescribed under W.S. 21-9-101 and 21-9-102 and secure
20 state board accreditation under W.S. 21-2-204(a)(ii);

21
22 (III) Unless otherwise authorized by
23 the state superintendent, be restricted to not more than
24 one (1) alternative school within any school district.

1
2 (C) Salaries for all school and district
3 level staffing categories, including teachers, principals
4 and assistant principals, central office administrators,
5 secretarial and clerical staff, operations and maintenance
6 staff and aides and media technicians, shall be based upon
7 average statewide salary levels calibrated for school year
8 2005-2006 for each staffing category including the
9 experience, education and responsibility level as
10 appropriate and as computed for each staffing category.
11 The statewide average for each staffing category shall be
12 adjusted for each district based upon the district
13 experience, education and responsibility level relative to
14 the statewide average for that category. District
15 experience, education and responsibility level by
16 appropriate staffing category shall be updated each year
17 such that district adjustments reflect the prior school
18 year staffing information. The district adjusted average
19 salary for teachers, principals and assistant principals,
20 central office administrators and media technicians shall
21 be further adjusted for regional cost differences as
22 measured by the Wyoming cost-of-living index computed by
23 the division of economic analysis, department of
24 administration and information, with a minimum of one

1 hundred (100) index value as prescribed by the education
2 resource block grant model. The version of the index
3 applied under this subparagraph for any school year shall
4 be the average of the six (6) consecutive semi-annual index
5 reports completed by January 1 of the immediately preceding
6 school year;

7
8 (D) Vocational education computations
9 within the education resource block grant model shall be
10 based upon:

11
12 (I) The number of students enrolled in
13 grades nine (9) through twelve (12) participating in
14 career-vocational education programs on a full-time
15 equivalency (FTE) basis, as computed in accordance with
16 guidelines established by the department of education;

17
18 (II) Career-vocational education
19 programs offered in grades nine (9) through twelve (12)
20 consisting of a sequence of three (3) or more vocational
21 courses in an occupational area or career cluster that
22 provides students with the technical knowledge, skills or
23 proficiencies necessary to obtain employment in current or
24 emerging occupations or to pursue advanced skill training.

1 To qualify under this subdivision, a vocational course
2 shall be offered pursuant to W.S. 21-9-101(b)(i)(J) and
3 aligned with state content and performance standards
4 prescribed by the state board of education under W.S.
5 21-2-304(a)(iii), and except as provided under W.S.
6 21-2-202(a)(xxvii), shall be provided by a teacher
7 certified by the Wyoming professional teaching standards
8 board for the vocational subject area associated with the
9 course;

10
11 (III) The number of full-time
12 equivalent (FTE) vocational education teachers within the
13 school, as computed in accordance with guidelines
14 prescribed by the department, providing career-vocational
15 education instruction in grades nine (9) through twelve
16 (12) and except as provided under W.S. 21-2-202(a)(xxvii),
17 certified by the Wyoming professional teaching standards
18 board to provide instruction at the high school level for
19 vocational education courses comprising career-vocational
20 education programs. Nothing in this subdivision shall
21 require a district to employ teachers certified for high
22 school vocational education instruction on a full-time
23 basis or to require teachers to teach only high school
24 vocational education courses on a full-time basis.

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(E) Amounts computed under the education resource block grant model for each school district based upon amounts generated by each school within the district and based upon amounts generated at the district level for that district within the block grant model, shall be adjusted by adding the following amounts:

(I) An amount for district transportation of school children as provided under W.S. 21-13-320;

(II) An amount for district special education programs and services as provided under W.S. 21-13-321;

(III) An amount for any extra compensation payments to district teachers as provided under W.S. 21-13-324;

(IV) An amount for any isolation and maintenance payments by the district as provided under W.S. 21-4-401;

1 (V) An amount for any tuition and
2 maintenance payments made by the district pursuant to W.S.
3 21-4-501(d), 21-4-504 and 21-4-505(a).

4

5 (F) Amounts provided within the model for
6 health insurance shall be based upon:

7

8 (I) Prior year statewide average
9 district weighted actual participation in district health
10 insurance plans as to the proportion of employee only,
11 split contracts, employee plus spouse or children and
12 family coverage; and

13

14 (II) The annualized state contribution
15 rate as of January 1 of the preceding school year, on
16 behalf of each employee and official enrolled in the state
17 group health insurance plan, for employee only, split
18 contracts, employee plus spouse or children and family
19 coverage.

20

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

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(I) Actual gross square footage of school buildings and facilities shall be separated into education and noneducation space categories by school and by district, including leased square footage but excluding square footage not used for delivering the required educational program and the square footage of any building or facility closed and not operational as provided under W.S. 21-15-109(c)(iv);

(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 the standard space level shall not be included in actual gross square footage computations under this subdivision:

(1) For school years 2006-2007 through 2008-2009, one hundred twenty-five percent (125%) of the standard space level;

1 (2) For school year 2009-2010 and
2 each school year thereafter, one hundred fifteen percent
3 (115%) of the standard space level.

4
5 (III) Actual square footage of
6 noneducation space shall not exceed ten percent (10%) of
7 total gross square footage of education space as prescribed
8 by the statewide building adequacy standards.

9
10 ~~(o) The revised model amount per ADM for each~~
11 ~~district computed under subsection (n) of this section~~
12 ~~shall be further adjusted for the following. Unless~~
13 ~~otherwise specified in this subsection, the adjustments~~
14 ~~under this subsection shall be determined as specified in~~
15 ~~the education resource block grant model:~~ To the extent
16 specifically provided within the school foundation program
17 budget as enacted by the legislature, and between periods
18 of model recalibration required under subsection (t) of
19 this section, the amount computed for each district under
20 subsection (m) of this section excluding those amounts
21 specified under subparagraphs (m)(v)(E) and (F) of this
22 section, shall be adjusted to provide for the effects of
23 inflation. The adjustment under this subsection shall not
24 be applied until the expiration of the school year

1 immediately following the first school year of application
2 of the recalibrated model, and shall be and adjusted on a
3 cumulative basis each school year thereafter and until the
4 first school year of application of a subsequent model
5 recalibration. The joint appropriations committee shall
6 submit a recommendation to the legislature and the governor
7 not later than November 1 of each applicable year on an
8 external cost adjustment for purposes of this subsection.

9
10 (p) ~~After all adjustments~~ Except as otherwise
11 provided by law and following the computation and
12 application of any adjustment under subsection (o) of this
13 section, ~~have been made, this adjusted, revised model ADM~~
14 the amount computed for each school within each district
15 shall be combined with the amount computed and provided on
16 a district level for ~~each~~ that district, ~~shall be~~
17 ~~multiplied by the ADM for each district~~ as prescribed by
18 the education resource block grant model, to determine the
19 foundation program amount for each district, ~~except as~~
20 ~~otherwise provided by law. For the purposes of this~~
21 ~~subsection, the average daily membership (ADM) for each~~
22 ~~district's kindergarten students shall be divided by two~~
23 ~~(2).~~

24

1 (t) Not less than once every five (5) years, the
2 legislature shall provide for the ~~reevaluation~~
3 recalibration of the education resource block grant model
4 to determine if modifications are necessary to ensure it
5 remains cost-based in light of changing conditions and
6 modifications to law.

7
8 **21-13-313. Distribution of funds from foundation**
9 **account; property tax and cash reserve adjustment;**
10 **regulations.**

11
12 (c) One-third (1/3) of each district's entitlement
13 shall be paid to the district on August 15 of each year.
14 Subject to any ~~recalculation under W.S. 21-13-309(g) and~~
15 adjustment under subsections (d) and (e) of this section,
16 on or about the fifteenth day of October and February, the
17 balance of the entitlements shall be distributed in equal
18 payments. If, after March 1 and before April 1, the state
19 superintendent determines that the entitlement paid to a
20 district for that school year is not accurate, the state
21 superintendent shall make additional payments to or require
22 payments from that district as necessary to correct the
23 inaccuracy as soon as practicable. Except as provided under
24 W.S. 21-2-202(e), after March 31 of any school year, the

1 state superintendent shall not adjust any district's
2 entitlement or fiscal information used to compute a
3 district's entitlement for that school year, and the
4 entitlement or fiscal information shall only be adjusted
5 thereafter in accordance with audit review pursuant to W.S.
6 9-1-513.

7
8 **21-13-320. Student transportation; amount within**
9 **school foundation program formula for transportation**
10 **maintenance and operations expenditures and school bus**
11 **purchases; district reporting requirements.**

12
13 (a) The ~~adjustment~~amount provided for the
14 transportation of school children within the education
15 resource block grant model pursuant to W.S. ~~21-13-309(n)(i)~~
16 21-13-309(m)(v)(E)(I) shall be computed in accordance with
17 this section.

18
19 (b) ~~The amount computed under W.S. 21-13-309(m)(iii)~~
20 ~~for each district shall be reduced by the total statewide~~
21 ~~expenditure for transportation, including capital outlay~~
22 ~~for school buses, per ADM during the 1996-1997 school year.~~
23 There shall be an ~~addition to the~~ amount computed ~~under~~
24 ~~W.S. 21-13-309(p)~~ for each school district equal to the

1 assigned percentage of the base price amount for bus
2 purchase and lease payment expenditures made by the
3 district during the previous school year pursuant to
4 subsection (g) of this section, one hundred percent (100%)
5 of the amount actually expended by the district during the
6 previous school year under subsection (c) of this section
7 and for:

8
9 **21-13-321. Special education; amount within**
10 **foundation program formula for special education programs**
11 **and services; district reporting requirements.**

12
13 (b) The ~~adjustment~~amount provided for special
14 education within the education resource block grant model
15 pursuant to W.S. ~~21-13-309(n)(ii)~~21-13-309(m)(v)(E)(II)
16 shall be ~~computed as follows:~~equal to one hundred percent
17 (100%) of the amount actually expended by the district
18 during the previous school year for special education
19 programs and services.

20
21 (g) Assistive technology equipment included within
22 district expenditures for special education programs and
23 services and reported under ~~paragraph (b)(ii)~~subsection
24 (b) of this section, which was acquired to assist a student

1 with a specific disability, shall to the extent
2 practicable, transfer with that student if the student
3 transfers to another school district within the state.
4 Within the report required under subsection (d) of this
5 section, districts shall separately document assistive
6 technology equipment including an inventory of assistive
7 technology equipment and the status of the usage levels of
8 the equipment and shall report to the department equipment
9 which is accordingly transferred to another school district
10 or which is currently unused by the district. The
11 provisions of this subsection requiring transfer of
12 assistive technology equipment apply only if no other
13 student within the district currently uses the equipment
14 and the equipment is capable of transfer to another
15 district.

16

17 **21-13-324. Teacher extra compensation adjustment to**
18 **district total amount per ADM.**

19

20 (a) A district may pay extra compensation to a
21 teacher as necessary to employ teachers for providing
22 educational programs at locations which because of their
23 unique circumstances require additional pay. Extra
24 compensation under this section:

1

2 (iii) May be in the form of ~~subsidized rent or~~
3 ~~other~~ subsidized expenses other than rent or housing
4 allowances, a cash bonus or a combination.

5

6 (b) If compensation is paid to the teacher for ~~rental~~
7 ~~or other~~ costs other than rent or housing allowances, the
8 school district shall provide information to the state
9 department describing the difference in the amount paid by
10 the teacher and the average comparable market rate within
11 the county for ~~rent or other~~ the subsidized cost.

12

13 **21-15-109. Major building and facility repair and**
14 **replacement payments; computation; square footage**
15 **allowance; use of payment funds; accounting and reporting**
16 **requirements.**

17

18 (c) To compute the major building and facility repair
19 and replacement payment for each district, the commission
20 shall:

21

22 (ii) Of the total gross square feet for all
23 school buildings and facilities computed under paragraph

1 (c)(i) of this section, determine the total gross square
2 feet for each of the following building categories:

3
4 (C) Educational buildings, including
5 portable buildings provided portable buildings do not
6 exceed more than ten percent (10%) of the total gross
7 square feet computed for all school buildings and
8 facilities under paragraph (c)(i) of this section, and
9 excluding teacherages; ~~unless the teacherage is used in~~
10 ~~support of a necessary small school as defined by W.S.~~
11 ~~21-13-318;~~

12
13 (iii) The total amount of gross square footage
14 determined for educational buildings under subparagraph
15 (c)(ii)(C) of this section shall be adjusted by excluding
16 from computations under this section the square footage for
17 those educational buildings closed and not operational as
18 provided for under paragraph (c)(iv) of this section and
19 any amount including the gross square footage of portable
20 buildings, which exceeds capacity levels specified by this
21 paragraph which are above the statewide minimum gross
22 square footage criteria as prescribed by the statewide
23 building and facility adequacy standards promulgated under
24 W.S. 21-15-115(a). For purposes of this section, per

1 student gross square footage criteria prescribed by the
2 statewide building adequacy standards shall be based upon
3 an average daily membership (ADM) computed as defined under
4 W.S. 21-13-101(a)(i) for the prior school year, ~~with the~~
5 ~~district's kindergarten ADM divided by two (2).~~ For
6 purposes of computations under this section, the allowable
7 capacity in educational building gross square footage for
8 each district including portable buildings, shall be as
9 follows:

10
11 **21-20-201. Agreement between districts and**
12 **postsecondary education institutions authorized; student**
13 **participation; credits; financial arrangements;**
14 **transportation; accessibility.**

15
16 (f) If the postsecondary education options program is
17 offered at a facility operated by the university or
18 participating community college which is located at a
19 reasonable distance from the high school at which the
20 participating student is enrolled, the district may provide
21 for the transportation of the student between the high
22 school and the location at which the program is offered.
23 Costs incurred by the district under this subsection shall
24 be included as part of the district transportation expenses

1 as used in computing the district foundation program amount
2 ~~per average daily membership (ADM)~~ under W.S. 21-13-309.

3
4 **Section 2.** W.S. 21-2-203(b), 21-3-314(c)(i)(A) and
5 (B), 21-12-105(f), 21-13-101(a)(xv), 21-13-102(a)(i)(D),
6 (E), (ii)(E), (F), (f), (h) and (j), 21-13-309(m)(i)
7 through (iii), (n), (o)(i) and (ii), (q), (r) and (s),
8 21-13-318, 21-13-321(b)(i) and (ii), 21-13-323, 21-13-326,
9 21-13-328, 21-13-329, 21-13-332 and 21-13-333 are repealed.

10
11 **Section 3.** [SUMMER SCHOOL/EXTENDED DAY PROGRAMS]

12
13 (a) The summer school grant program is established
14 for the 2006 summer session to provide financial assistance
15 to districts for the provision of intervention and
16 remediation instruction to students beyond the required
17 school year specified by law under W.S. 21-4-301 and
18 21-13-307(a)(ii). Assistance made available under the
19 grant program shall supplement district intervention and
20 remediation programs and shall be made available to
21 students requiring additional instruction to master
22 statewide content and performance standards prescribed by
23 the state board of education under W.S. 21-2-304(a)(iii) or
24 otherwise seeking credit recovery for promotion to the

1 subsequent grade level. Summer school programs eligible
2 for assistance under this section shall also:

3
4 (i) At minimum, provide each participating
5 student the opportunity to receive remediation and
6 intervention instruction in mathematics and reading and
7 language arts;

8
9 (ii) Provide a minimum of sixty (60)
10 instructional hours to each elementary school student
11 during the summer school session, and a minimum of sixty
12 (60) instructional hours per subject to each middle and
13 high school student unless the middle or high school
14 student otherwise demonstrates proficiency prior to
15 receiving the full sixty (60) hours of instruction;

16
17 (iii) To the extent practical and reasonable,
18 limit class size to not more than ten (10) students for
19 elementary level programs and to not more than fifteen (15)
20 students for middle and high school level programs;

21
22 (iv) Require the development of an individual
23 student learning plan for each participating student;

24

1 (v) Require program instructors to receive
2 training in research-based strategies focusing on
3 individualized instruction at the level, duration and
4 content specified by rule and regulation of the department
5 of education;

6
7 (vi) To assure effectiveness of teaching and
8 program quality, provide for program monitoring by a school
9 principal or superintendent trained in research-based
10 instructional strategies for at-risk students as prescribed
11 by rule and regulation of the department of education.

12
13 (b) In addition to subsection (a) of this section,
14 programs providing before-school, after-school and Saturday
15 school enhanced instruction for student mastery of the
16 state content and performance standards are eligible for
17 assistance under this section. To receive funding
18 eligibility under this subsection, a district shall file
19 program plans with the department of education requesting
20 use of a portion of summer school program funds otherwise
21 available under this section, not to exceed a maximum level
22 established by rule and regulation of the department.
23 Plans submitted to the department shall be filed within the
24 time specifications imposed upon the applicant district for

1 summer school grants and shall be subject to program
2 requirements and criteria established by the department.

3

4 (c) To receive grant assistance under this section, a
5 district shall apply to the department of education on or
6 before April 15, 2006. Application review by the
7 department shall be completed by May 1, 2006. On or before
8 May 1, 2006, districts shall be notified by the department
9 of any estimated grant amount to be made available to the
10 district during the 2006 summer school session.
11 Application to the department shall be in a manner and form
12 prescribed by the department and shall include:

13

14 (i) An estimate of the number of students to be
15 enrolled in the summer school intervention and remediation
16 program for which a grant is requested, broken down by
17 grade level;

18

19 (ii) A description of program content including
20 subjects offered and additional information depicting
21 compliance with program requirements specified under
22 subsection (a) of this section;

23

1 (iii) Evidence of specific professional
2 development and training for each summer school instructor;

3
4 (iv) Other information determined necessary to
5 implement this section as may be required by the
6 department.

7
8 (d) Grant payments shall be determined for each
9 recipient district under this section based upon the larger
10 of the following amounts:

11
12 (i) Multiply the number of students within the
13 district participating in the summer school program by one
14 thousand dollars (\$1,000.00), subject to a per district
15 maximum amount computed by multiplying one thousand dollars
16 (\$1,000.00) times a number equal to ten percent (10%) of
17 the district's elementary or secondary school enrollment,
18 as applicable, for the school year immediately preceding
19 the summer school session for which the grant is requested;
20 or

21
22 (ii) One (1) of the following minimum amounts,
23 as applicable:

24

1 (A) Five thousand five hundred thirty
2 dollars (\$5,530.00) if an elementary summer school program;

3
4 (B) Seven thousand nine hundred thirty
5 dollars (\$7,930.00) if a secondary summer school program;

6
7 (C) Twelve thousand ten dollars
8 (\$12,010.00) if a combined elementary and secondary summer
9 school program.

10
11 (iii) Notwithstanding paragraphs (i) and (ii) of
12 this subsection, an intersession intervention and
13 remediation program for school districts operating schools
14 on a year-round basis for purposes of qualifying for a
15 grant under this section shall be awarded an amount in
16 accordance with criteria and guidelines prescribed by rule
17 and regulation of the department of education, which in no
18 event shall exceed the amounts prescribed under paragraphs
19 (i) and (ii) of this subsection.

20
21 (e) The department may request additional information
22 prior to awarding a grant under this section to ascertain
23 programs comply with the requirements of this section.
24 Upon completion of the summer school program, each

1 recipient district shall report to the department any
2 statistical, expenditure and program evaluation information
3 as may be required by the department prior to receiving
4 grant amounts computed under this section.

5

6 (f) As soon as reasonably possible following the
7 effective date of this section, the department of education
8 shall notify school districts of the availability of
9 assistance under the summer school grant program
10 established under this section and of the requirements
11 imposed upon districts to obtain a grant award.

12

13 (g) On or before December 1, 2006, the department
14 shall review and report to the joint education interim
15 committee on summer school remediation and intervention
16 programs funded under this section, evaluate program
17 effectiveness and provide recommendations for program
18 improvement and continuation.

19

20 (h) Nine million dollars (\$9,000,000.00) is
21 appropriated from the school foundation program account to
22 the department of education to fund the grant program
23 established under this section for the period beginning on

1 the effective date of this section and ending June 30,
2 2007.

3

4 **Section 4.** [HOLD HARMLESS]

5

6 (a) Notwithstanding W.S. 21-13-309(p), as amended by
7 section 1 of this act, using computations of district
8 foundation program amounts by the department of education
9 based upon reports from districts required by the
10 department, the foundation program amount computed for a
11 district under W.S. 21-13-309(p) for school year 2006-2007
12 and each school year thereafter through the next
13 recalibration of the education resource block grant model
14 pursuant to W.S. 21-13-309(t), less amounts reimbursed
15 under W.S. 21-13-309(m)(v)(E), shall not be less than one
16 hundred percent (100%) of the foundation program amount
17 available to that district during the 2005-2006 school
18 year, as computed under W.S. 21-13-309(p) prior to the
19 addition of the reimbursement amounts under W.S.
20 21-13-309(m)(v)(E) for that school year. A district is not
21 entitled to additional funding under this section if, but
22 for a decrease in ADM as compared with the 2005-2006 school
23 year, that district would not have a foundation program

1 amount that is less than one hundred percent (100%) of the
2 school year 2005-2006 foundation program amount.

3
4 (b) Notwithstanding subsection (a) of this section,
5 this section shall not apply to any district subject to
6 recapture under W.S. 21-13-102(b) whose recapture revenues
7 exceed limitations imposed under W.S. 21-13-102(c), as
8 established by the department for that district.

9
10 **Section 5.** [EDUCATION STUDIES]

11
12 (a) For purposes of carrying out the requirements of
13 W.S. 21-13-309(m)(iv)(C), as amended under section 1 of
14 this act, the state superintendent of public instruction
15 shall in consultation with the Wyoming school facilities
16 commission, establish statewide guidelines on the
17 configuration of schools for computations under the
18 education resource block grant model and determination of
19 school foundation program amounts under law. Guidelines
20 established under this subsection shall address school
21 configuration on the basis of the adequate delivery of the
22 required statewide educational program in a cost-efficient
23 and educationally effective manner. The purpose of this
24 subsection is to address the appropriate school

1 configuration for application to the education resource
2 block grant model and not the authority of districts to
3 configure school grade levels. On or before November 1,
4 2008, recommendations shall be reported to the joint
5 education interim committee together with an analysis of
6 the impact of recommendations on existing school
7 configurations established by school districts.

8
9 (b) The Wyoming school facilities commission shall
10 report to the joint education interim committee and the
11 select school facilities committee on modifications to the
12 statewide adequacy standards for school buildings and
13 facilities established under W.S. 21-15-115, as necessary
14 to accommodate full day kindergarten programs in Wyoming
15 schools. The report shall be made on or before August 1,
16 2006.

17
18 (c) For purposes of refining components within the
19 education resource block grant model resourcing education
20 programs supporting at-risk students, the department of
21 education shall:

1 (i) Develop a standard, accurate procedure for
2 the identification of mobile students as used within the
3 model to resource at-risk programs;

4

5 (ii) Monitor the criterion for application of
6 additional resources provided within the model for
7 extended-day programs;

8

9 (iii) Monitor the criterion for application of
10 additional resources provided within the model for summer
11 school programs;

12

13 (iv) Through reporting requirements imposed upon
14 school districts by rule and regulation of the department,
15 compile district information on at-risk program
16 effectiveness as measured by student program entrance and
17 exit performance indicators and by district at-risk program
18 structure, content and delivery information.

19

20 (d) Except for reporting recommendations pursuant to
21 paragraph (c)(i) of this section, the department of
22 education shall annually report progress on activities
23 conducted under subsection (c) of this section to the joint
24 education interim committee by December 1, with findings

1 and recommendations reported to the committee on necessary
2 remedial legislative action, if any, on or before November
3 1, 2008. Recommendations under paragraph (c)(i) of this
4 section shall be submitted to the committee on or before
5 December 1, 2006.

6
7 (e) The department of education shall conduct a
8 detailed analysis of district revenues and expenditures for
9 food service programs, clearly identifying and describing
10 the basis for program deficits experienced by school
11 districts. Findings from this analysis shall be reported
12 to the joint education interim committee on or before
13 December 1, 2006, together with recommendations addressing
14 program revenue shortfalls.

15
16 (f) In addition to subsection (e) of this section,
17 the department of education shall review district
18 expenditures for student activity programs. The department
19 may impose additional data reporting requirements upon
20 districts as necessary to undertake this review and shall
21 identify factors resulting in variations in district
22 expenditures. Findings under this subsection shall be
23 reported to the joint education interim committee on or
24 before December 1, 2006.

1

2 (g) The department of education shall review school
3 district safety and security needs including a review of
4 safety and security issues facing public schools, proposed
5 statewide guidelines and standards addressing district
6 safety and security of schools, a review of revenues
7 available to districts for addressing safety and security
8 needs and recommendations for state assistance to districts
9 necessary to address safety and security issues. The
10 department shall consult with the Wyoming school facilities
11 commission in undertaking the review required under this
12 subsection. Study findings and recommendations shall be
13 reported to the joint education interim committee on or
14 before December 1, 2006.

15

16 (h) Two hundred fifty thousand dollars (\$250,000.00)
17 is appropriated from the school foundation program account
18 to the department of education as necessary to implement
19 subsections (a) and (c) through (g) of this section. On or
20 before July 1, 2007, the department shall report to the
21 joint appropriations interim committee and the joint
22 education interim committee on the expenditure of funds
23 appropriated under this section.

24

1 **Section 6.** [ALLOCATION-EXPENDITURE STUDY]

2

3 (a) The joint education interim committee shall
4 conduct a study of the allocation and use of education
5 resources by schools and school districts including:

6

7 (i) A quantitative analysis of changes in school
8 and school district expenditures using school year 2005-
9 2006 expenditures as the base year;

10

11 (ii) A quantitative analysis of the impacts of
12 education program strategies contained within cost studies
13 supporting the recalibrated block grant funding model
14 enacted by the legislature under this act and the resources
15 made available to school districts under this act, on the
16 education programs provided by schools and school
17 districts;

18

19 (iii) A quantitative analysis of programmatic
20 uses of resources made available under the recalibrated
21 funding model enacted under this act by schools and school
22 districts.

23

1 (b) Based upon the analysis conducted under
2 subsection (a) of this section, the study shall identify
3 and address the effectiveness of school and school district
4 implementation of education programs with state resources,
5 the alignment of school and school district programs with
6 education strategies provided within the recalibration cost
7 of education study as enacted into law by the legislature,
8 and the impact of the additional resources provided to
9 schools and school districts under this act on respective
10 education programs. Final recommendations based upon the
11 analysis and study conducted under this section shall be
12 finalized in sufficient time to report recommendations to
13 the legislature during the 2008 budget session.

14

15 (c) Five hundred thousand dollars (\$500,000.00) is
16 appropriated from the school foundation program account to
17 the legislative service office to fund the study required
18 under this section. Funds appropriated under this
19 subsection shall continue through the biennial period
20 ending June 30, 2008, and shall include funding staff
21 support and consultants to the legislature necessary to
22 conduct the study, as approved and in accordance with a
23 budget adopted by the management council.

24

1 **Section 7.** Fifty thousand dollars (\$50,000.00) is
2 appropriated from the school foundation program account to
3 the legislative service office as necessary to cover
4 expenses of consulting services necessary to implement
5 studies and reports submitted to the joint education
6 interim committee impacting the education resource block
7 grant model and to incorporate data necessary to update
8 model components in accordance with this act. Expenditures
9 shall be as approved by the management council.

10

11 **Section 8.**

12

13 (a) Except as provided by subsection (b) of this
14 section, this act is effective July 1, 2006.

15

16 (b) Sections 3, 5, 6 and 7 of this act are effective
17 immediately upon completion of all acts necessary for a
18 bill to become law as provided by Article 4, Section 8 of
19 the Wyoming Constitution.

1

2

ATTACHMENT "A"

3

ATTACHMENT "A" CONTAINS AN ENUMERATION OF MODEL COMPONENTS

4

SUMMARIZING AND EXECUTING RECOMMENDATIONS CONTAINED WITHIN

5

THE 2005 COST OF EDUCATION STUDY ON THE RECALIBRATION OF

6

THE EDUCATION RESOURCE BLOCK GRANT MODEL AS FOLLOWS:

7

SUMMARY OF WYOMING RECALIBRATION RECOMMENDATIONS-VERSION 1:

8

9 (a) Except as provided by subsection (b) of this
10 attachment, the Wyoming education resource block grant
11 model shall be comprised of the following components
12 resourced as follows:

13

14 For purposes of this attachment:

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

17 "FTE" means full time equivalency basis as computed in
18 accordance with guidelines prescribed by rule and
19 regulation of the department of education.

20

21 Full-Day Kindergarten Funded for all elementary
22 schools.

23

24 Class Size: 16 for grades Kindergarten
25 through 5;
26 21 for grades 6 through 12.

27

28 Core teachers: Elementary school ADM divided by 16;
29 Middle school ADM divided by 21;
30 High school ADM divided by 21.

31

32 Specialist teachers: 20 percent of core teachers.

33

34 Minimum teachers: 6.0 for elementary schools with greater than
35 49 ADM;
36 9.0 for secondary schools with greater
37 than 49 ADM;
38 7.0 for middle schools with greater than
39 49 ADM;
40 9.0 for high schools with greater than 49
41 ADM.

1
2 Instructional facilitators:
3 1.5 in 288 ADM prototypical elementary
4 school;
5 1.5 in 315 ADM prototypical middle and
6 high school.
7
8 Tutors: 1 FTE teacher position for every 100
9 at-risk students with a minimum of 1
10 FTE teacher position for prototypical
11 elementary, middle and high schools.
12
13 ELL: 1 FTE teacher position for every 100
14 ELL students.
15
16 Extended day: 0.25 FTE teacher position for every 30
17 at-risk students.
18
19 Summer school: 0.25 FTE teacher position for every 30
20 at-risk students.
21
22 Alternative schools: 1 assistant principal position plus 1
23 FTE teacher position for every 7
24 students.
25
26 Substitutes: Additional 5 percent of ADM generated
27 teacher positions at \$88.40/day plus
28 7.65% for benefits.
29
30 Supervisory aides: 2 for 288 ADM prototypical elementary
31 school;
32 2 for 315 ADM prototypical middle
33 school;
34 5 for 630 ADM prototypical high
35 school.
36
37 Pupil support: 1 FTE teacher position for every 100
38 at-risk students with a minimum of 1
39 FTE teacher position for prototypical
40 elementary, middle and secondary
41 schools; PLUS
42 1 FTE position for every 250 students
43 in secondary schools.
44
45 Librarian: 1.0 for each prototypical elementary,
46 middle and high school.
47

1 Library media tech: 1.0 for each prototypical middle and
2 high school.
3
4 Principal: 1.0 for all schools down to 96 ADM
5 elementary and 105 ADM middle and
6 high, prorated by ADM below these ADM
7 levels.
8
9 Assistant principal: Begin phasing in 1 assistant principal
10 for every 315 students at 316 ADM
11 middle and high school.
12
13 Secretary: 1.0 for 288 ADM prototypical
14 elementary;
15 1.0 for 315 ADM prototypical middle
16 school;
17 1.0 for 315 ADM and 630 ADM
18 prototypical high school.
19
20 Clerical: 1.0 for 288 ADM prototypical
21 elementary school;
22 1.0 for 315 ADM prototypical middle
23 school;
24 2.0 for 315 ADM prototypical high
25 school.
26
27 Books/Ins. Materials: \$296.99/elementary and middle school
28 ADM;
29 \$363.65/high school ADM.
30
31 Computers, equipment: \$260/ADM.
32
33 Special education: 100 percent state reimbursement of
34 prior year actual expenditures.
35
36 Gifted: \$26/ADM.
37
38 Vocational education: 0.29 times FTE vocational education
39 ADM;
40 \$8040.74/FTE vocational education
41 teacher for equipment and supplies.
42
43 Student activities: \$260/ADM.
44
45 Professional development:
46 In addition to the above instructional
47 facilitators/coaches:

1 5 extra days in teacher yearly
2 contract, at statewide average of \$218
3 per day, which will vary by district
4 average salary levels;
5 Plus \$104/ADM for trainers.
6
7 Assessment: In addition to all other professional
8 development resources:
9 \$33.58/ADM.
10
11 Central office staff: District ADM 500 and below:
12 3 administrative and 3 secretarial;
13
14 District ADM from 500 to 1000:
15 Proration of an additional
16 administrative and secretarial
17 position;
18
19 District ADM at 1000:
20 4 administrative and 4 secretarial,
21 increased for districts with ADM
22 greater than 1000.
23
24 Central office nonpersonnel expenses:
25 \$312/ADM
26
27 Transportation: 100 percent state reimbursement of
28 prior year actual expenditures.
29
30 Food services: Assumed to be self supporting program.
31
32 Maintenance and operations: Based on ADM, gross square
33 footage and number of buildings and
34 rooms for custodians, facilities
35 maintenance and groundskeepers.
36
37 M & O supplies: \$0.57 per 110 percent of gross square
38 feet of authorized education space.
39
40 Utilities: Actual 2004-2005 expenditures by
41 district inflated up in subsequent
42 years by inflation factor.
43
44 School adjustments: For all schools with 49 or fewer ADM,
45 resource with 1 assistant principal
46 position plus 1 FTE teacher position for
47 every 7 students for all staff;

1
2 Minimum 6 teachers in elementary
3 schools greater than 49 ADM;
4
5 Minimum of 9 core and specialist
6 teachers in secondary schools with more
7 than 49 ADM;
8
9 For a K-5 or K-6 school, resource as
10 elementary school;
11
12 For a K-7, K-8 or K-9 school, resource
13 K-5 as elementary school and remainder
14 as middle school;
15
16 For K-12 school, resource K-5 as
17 elementary, 6-12 as secondary school
18 for all teachers and pupil support
19 staff, and by elementary, middle and
20 high school for other resources;
21
22 For 6/7-12 school, resource as
23 secondary school for all teachers and
24 pupil support staff, and as middle or
25 high school for other resources.
26
27 Average Salaries:
28 Teachers \$ 42,621.28
29 Teachers with 5 extra days: \$ 43,687.00
30 Principals \$ 68,754.40
31 Assistant principals \$ 57,659.68
32 Superintendents \$ 93,808.00
33 Assistant superintendents \$ 75,046.40
34 Business managers \$ 60,634.08
35 Aides \$ 15,421.12
36 Media technicians \$ 38,227.28
37 Central office secretaries \$ 30,134.00
38 School secretaries \$ 27,343.68
39 School clerical staff \$ 20,241.52
40 Maintenance and operations:
41 Maintenance/groundskeepers \$ 31,708.56
42 Custodians: \$ 25,501.84
43
44 Benefits: 19.66 percent plus \$8,169 for health.
45
46 Regional cost adjustment: As provided by W.S.
47 21-13-309(m) (v) (C).

1
2 External cost adjustment:

3 As provided by W.S. 21-13-309(o).
4

5 (b) The Wyoming education resource block grant model
6 components and the resourcing for those components shall be
7 amended as follows:
8

9 Page 49-lines 28 through 34 delete and insert:

10 "Minimum teachers: 6.0 for elementary schools with
11 greater than 49 ADM;
12 7.0 for middle schools with greater
13 than 49 ADM;
14 9.0 for high schools with greater than
15 49 ADM."
16

17 Page 49-lines 36 through 41 delete and insert:

18 "Instructional facilitators: 0"
19

20 Page 50-lines 9 through 15 delete and insert:

21 "Extended day: 0
22 Summer school: 0"
23

24 Page 51-line 31 delete and insert:

25 "Student activities: Elementary school: \$21.63/ADM;
26 Middle school: From \$684.32/ADM at
27 1 ADM school to \$176.80/ADM
28 for 1260 ADM school;
29 High school: From \$1764.01/ADM for
30 1 ADM school to \$520.00/ADM
31 for 1260 ADM school."
32

33 Page 52-lines 40 through 42 delete.
34

35 Page 53-lines 5 through 14 delete and insert:

36 "For K-12 school, resource as K-5
37 elementary, 6-8 middle and 9-12
38 high school;
39
40 For 6/7-12 school, resource as 6-8
41 middle and 9-12 high school."
42

43 ATTACHMENT "B"

44 ATTACHMENT "B" CONTAINS VERSION 1 OF MODEL SPREADSHEETS
45 PROVIDED BY CONSULTANTS PERFORMING THE COST OF EDUCATION

1 STUDY REFERENCED IN ATTACHMENT "A" AND IMPLEMENTING THE
2 RECOMMENDATIONS WITHIN THE STUDY, AS ENACTED INTO LAW UNDER
3 THIS ACT. ATTACHMENT "B" IS NOT REPRODUCED IN THE 2006
4 SESSIONS LAWS BUT IS AVAILABLE FOR PUBLIC INSPECTION IN THE
5 OFFICE OF THE WYOMING SECRETARY OF STATE PURSUANT TO W.S.
6 21-13-101(c).

7

8

(END)