

HOUSE BILL NO. HB0115

School finance-amendments.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to school finance; requiring the state
2 superintendent of public instruction to review at-risk
3 program strategies funded under the block grant model;
4 specifically including alternative schools and imposing a
5 moratorium on new alternative schools recognized under the
6 model during the review period; continuing the summer
7 school-extended day programs during school year 2007-2008;
8 clarifying the enrichment program component and requiring
9 recommendations on future program continuation; requiring
10 the state superintendent to study and develop
11 recommendations on distance education programs;
12 establishing a task force for this purpose; correcting the
13 activities component within the education resource block
14 grant model; clarifying the health insurance component;
15 directing the department of education to adjust school year
16 2006-2007 school district entitlement payments and
17 recapture amounts accordingly; imposing reporting

1 requirements; providing appropriations; and providing for
2 an effective date.

3
4 *Be It Enacted by the Legislature of the State of Wyoming:*

5
6 [SECTION 1. AT-RISK PROGRAMS]

7
8 **Section 101.** W.S. 21-13-309 (m) (v) (B) (intro) is
9 amended to read:

10
11 **21-13-309. Determination of amount to be included in**
12 **foundation program for each district.**

13
14 (m) In determining the amount to be included in the
15 foundation program for each district, the state
16 superintendent shall:

17
18 (v) Based upon ADM computations and identified
19 school configurations within each district pursuant to
20 paragraph (iv) of this subsection, compute the foundation
21 program amount for each district as prescribed by the
22 education resource block grant model adopted by the Wyoming
23 legislature as defined under W.S. 21-13-103(a)(xiv), as
24 contained within the spreadsheets and accompanying reports

1 referenced under W.S. 21-13-103(a)(xvii) and (xviii) and on
2 file with the secretary of state pursuant to W.S.
3 21-13-103(c). The following criteria shall be used by the
4 state superintendent in the administration of the education
5 resource block grant model:

6
7 (B) Alternative schools qualifying for
8 separate consideration under the education resource block
9 grant model may be established by a school district for
10 offering educational programs to students with educational
11 needs which the district finds are not appropriately met by
12 other schools in the district, excluding charter schools
13 established under W.S. 21-3-301 through 21-3-314.
14 Alternative schools included within a district's
15 configuration of schools identified under paragraph (iv) of
16 this subsection shall for purposes of the education
17 resource block grant model: ~~be subject to subdivision (III)~~
18 ~~of this subparagraph and meet either subdivision (I) or~~
19 ~~(II) of this subparagraph.~~

20
21 **Section 102.** W.S. 21-13-309(m)(v)(B)(II) is repealed.

22
23 **Section 103.**

1 (a) In continuation of the study assigned under 2006
2 Wyoming Session Laws, Chapter 37, Section 7(c), and subject
3 to subsection (b) of this section, the state superintendent
4 of public instruction shall through the department of
5 education, review the at-risk resources provided under the
6 Wyoming education resource block grant model and the at-
7 risk strategies associated with these resources, and based
8 upon this review and information collected from school
9 districts on at-risk program structure, content and
10 delivery and program effectiveness as measured by program
11 entrance and exit performance indicators, provide
12 recommendations to the joint education interim committee on
13 refining model components supporting at-risk students. The
14 review shall be conducted in coordination with the study on
15 the allocation and use of education resources by schools
16 and school districts undertaken by the joint education
17 interim committee pursuant to 2006 Wyoming Session Laws,
18 Chapter 37, Section 8, and shall to the extent possible,
19 coordinate and share information and findings gathered and
20 assembled under both this section and the allocation and
21 use study effort.

22

23 (b) Refinement recommendations under subsection (a)
24 of this section shall include the provision of alternative

1 schools as one (1) component of a total district at-risk
2 program strategy subject to approval by the state
3 superintendent, compliance with alternative learning
4 environment program components specified within the 2005
5 cost of education study on the recalibration of the
6 education resource block grant model and subject to
7 additional criteria pertaining to student participation and
8 program components as recommended by the state
9 superintendent to ensure proper provision as a component of
10 overall district at-risk program strategy. The study shall
11 also include recommendations for funding alternative
12 schools within the education resource block grant model
13 which target funds in accordance with established program
14 criteria.

15

16 (c) On or before October 1, 2007, the state
17 superintendent shall report recommendations under this
18 section to the joint education interim committee.
19 Recommendations shall be aligned to findings and
20 recommendations under the study on the allocation and use
21 of education resources by schools and school districts
22 conducted pursuant to 2006 Wyoming Session Laws, Chapter
23 37, Section 8.

24

1 [SECTION 2. SUMMER SCHOOL/EXTENDED DAY/ENRICHMENT
2 PROGRAMS]
3

4 **Section 201.** 2006 Wyoming Session Laws, Chapter 37,
5 Section 3(a)(intro), (ii), (b), (c)(intro) and (f) is
6 amended to read:
7

8 **Section 3.** [SUMMER SCHOOL/EXTENDED
9 DAY/ENRICHMENT PROGRAMS]
10

11 (a) The summer school grant program is
12 established for the 2006 and 2007 summer ~~session~~
13 sessions to provide financial assistance to
14 districts for the provision of intervention,
15 remediation and enrichment instruction to
16 students beyond the required school year
17 specified by law under W.S. 21-4-301 and
18 21-13-307(a)(ii). The grant program shall
19 augment amounts within the education resource
20 block grant model for addressing at-risk student
21 needs over a transitional period during which
22 full cost-based funding will be implemented and
23 total at-risk program resources are being
24 reviewed. Assistance made available under the

1 grant program shall supplement district
2 intervention, remediation and enrichment programs
3 and shall at minimum, be made available to
4 students requiring additional instruction to
5 master statewide content and performance
6 standards prescribed by the state board of
7 education under W.S. 21-2-304(a)(iii) or
8 otherwise seeking credit recovery for promotion
9 to the subsequent grade level. Summer school
10 programs eligible for assistance under this
11 section shall also:

12
13 (ii) Provide a minimum of sixty (60)
14 instructional hours to each elementary school
15 student and a minimum of sixty (60) instructional
16 hours ~~per subject~~ to each middle and high school
17 student. High school students may demonstrate
18 proficiency prior to receiving the full sixty
19 (60) hours of instruction;

20
21 (b) In addition to subsection (a) of this
22 section, programs providing enrichment
23 instruction to students and before-school, after-
24 school and Saturday school enhanced instruction

1 for student mastery of the state content and
2 performance standards are eligible for assistance
3 under this section. ~~These~~ Before-school, after-
4 school and Saturday school programs for student
5 mastery of state standards shall augment amounts
6 within the education resource block grant model
7 for addressing at-risk student needs over a
8 transitional period during which full cost-based
9 funding will be implemented and total at-risk
10 program resources are being reviewed. To receive
11 funding eligibility under this subsection, a
12 district shall file program plans with the
13 department of education requesting use of a
14 portion of summer school program funds otherwise
15 available under this section, not to exceed a
16 maximum level established by rule and regulation
17 of the department. Plans submitted to the
18 department shall be filed within the time
19 specifications imposed upon the applicant
20 district for summer school grants and shall be
21 subject to program requirements and criteria
22 established by the department.

23

1 (c) To receive grant assistance under this
2 section, a district shall apply to the department
3 of education on or before April 15, 2006, and by
4 April 15, 2007, for the 2007 summer school
5 session and the 2007-2008 school year, as
6 applicable. Application review by the department
7 shall be completed by May 1, ~~2006~~ of the
8 appropriate year. On or before May 1, 2006, and
9 May 1, 2007, as applicable, districts shall be
10 notified by the department of any estimated grant
11 amount to be made available to the district
12 during the ~~2006~~ appropriate summer school session
13 and school year. Application to the department
14 shall be in a manner and form prescribed by the
15 department and shall include:

16
17 (f) As soon as reasonably possible
18 following the effective date of this section as
19 amended by the 2007 Wyoming legislature, the
20 department of education shall notify school
21 districts of the availability of assistance under
22 the summer school grant program established under
23 this section and of the requirements imposed upon
24 districts to obtain a grant award.

1

2

Section 202.

3

4

5

6

7

8

9

(a) The joint education interim committee shall, based upon information provided by the department of education and findings reported under the allocation and use study conducted pursuant to 2006 Wyoming Session Laws, Chapter 37, Section 8, review the mechanisms, manner and level for continuation of:

10

11

12

13

14

15

16

17

18

19

20

21

22

23

(i) The summer school remediation, intervention and enrichment programs provided by 2006 Wyoming Session Laws, Chapter 37, Section 3, as amended under section 1 of this act, as a portion of the total at-risk and gifted student program resources provided to school districts under the education resource block grant model; and

(ii) The instructional facilitator program provided under 2006 Wyoming Session Laws, Chapter 37, Section 4, as a portion of the total professional development resources available to school districts under the education resource block grant model.

1 (b) The joint education interim committee shall
2 develop and report recommendations on the programs
3 specified under subsection (a) of this section to the
4 Wyoming legislature in sufficient time for consideration
5 during the 2008 budget session.

6
7 [SECTION 3. DISTANCE EDUCATION PROGRAMS]

8
9 **Section 301.**

10
11 (a) The state superintendent of public instruction
12 shall in consultation with a task force established for
13 this purpose, develop recommendations on state oversight,
14 assistance and guidance for the development, operation and
15 funding of distance education programs by school districts
16 as extensions to or a component of public school education
17 programs. For purposes of this section, virtual school
18 programs for grades kindergarten through twelve (12) shall
19 be included as a distance education program. In addition
20 to representatives of the department of education and the
21 state board of education, the task force established by the
22 state superintendent for purposes of this section shall
23 include representatives of school districts, charter
24 schools, home schools and parents of school age children.

1 The task force shall consult with and gather information
2 from distance education service providers and school
3 districts offering distance education programs.

4

5 (b) The state superintendent, in consultation with
6 the task force assembled under subsection (a) of this
7 section, shall in the review of distance education program
8 oversight, development and funding, develop recommendations
9 on the following:

10

11 (i) The assignment of responsibility for
12 distance education program content and student performance,
13 and accountability measures which are attached to the
14 assigned responsibility;

15

16 (ii) A process which:

17

18 (A) Assures distance education programs
19 provide the required statewide educational program
20 prescribed by W.S. 21-9-101 and 21-9-102(b) in accordance
21 with statewide program standards developed under W.S.
22 21-2-304(a)(iii);

23

1 (B) Delegates appropriate supervision of
2 student progress; and

3

4 (C) Addresses student performance
5 requirements under W.S. 21-2-304(a)(v) and the federal No
6 Child Left Behind Act of 2001.

7

8 (iii) The identification of eligible providers
9 of distance education programs and specifically, virtual
10 education programs;

11

12 (iv) A process for the integration of distance
13 education programs into the regular public school education
14 program which equates the relationship to traditional
15 education program delivery and the weight toward achieving
16 student learning goals and statewide educational
17 requirements;

18

19 (v) A funding mechanism which incorporates
20 distance education programs within the Wyoming education
21 resource block grant model.

22

23 (c) On or before October 1, 2007, the state
24 superintendent shall report his findings and

1 recommendations developed under this section to the joint
2 education interim committee. Following its review and
3 approval, the committee shall present recommendations
4 including necessary enabling legislation, to the
5 legislature at the 2008 budget session.

6
7 [SECTION 4. TECHNICAL CORRECTIONS]

8
9 **Section 401.** 2006 Wyoming Session Laws, Chapter 37,
10 Attachment "A" (b) is amended to read:

11
12 ATTACHMENT "A"
13 ATTACHMENT "A" CONTAINS AN ENUMERATION OF MODEL COMPONENTS
14 SUMMARIZING AND EXECUTING RECOMMENDATIONS CONTAINED WITHIN
15 THE 2005 COST OF EDUCATION STUDY ON THE RECALIBRATION OF
16 THE EDUCATION RESOURCE BLOCK GRANT MODEL AS FOLLOWS:

17
18 **SUMMARY OF WYOMING RECALIBRATION RECOMMENDATIONS:**

19
20 For purposes of this attachment:

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

23 "FTE" means full time equivalency basis as computed in
24 accordance with guidelines prescribed by rule and
25 regulation of the department of education.

26
27 (b) To implement this act and notwithstanding
28 subsection (a) of this attachment, the Wyoming education
29 resource block grant model components and the resourcing
30 for those components shall be as follows:

31
32 Full-Day Kindergarten Funded for all elementary
33 schools.

34
35 Class Size: 16 for grades Kindergarten
36 through 5;

1 21 for grades 6 through 12.
2
3 Core teachers: Elementary school ADM divided by 16;
4 Middle school ADM divided by 21;
5 High school ADM divided by 21.
6
7 Specialist teachers:
8 Elementary schools: 20 percent of core
9 teachers;
10 Middle and high schools: 33 percent of
11 core teachers.
12
13 Minimum teachers: 6.0 for elementary schools with greater than
14 49 ADM;
15 8.0 for middle schools with greater than
16 49 ADM;
17 10.0 for high schools with greater than 49
18 ADM.
19
20 Instructional facilitators: 0.
21
22 Tutors: 1 FTE teacher position for every 100
23 at-risk students with a minimum of 1
24 FTE teacher position for prototypical
25 elementary, middle and high schools.
26
27 ELL: 1 FTE teacher position for every 100
28 ELL students.
29
30 Extended day: 0.
31
32 Summer school: 0.
33
34 Alternative schools: 1 assistant principal position plus 1
35 FTE teacher position for every 7
36 students.
37
38 Substitutes: Additional 5 percent of ADM generated
39 teacher positions at \$88.40/day plus
40 7.65% for benefits.
41
42 Supervisory aides: 2 for 288 ADM prototypical elementary
43 school;
44 2 for 315 ADM prototypical middle
45 school;
46 5 for 630 ADM prototypical high
47 school.

1
2 Pupil support: 1 FTE teacher position for every 100
3 at-risk students with a minimum of 1
4 FTE teacher position for prototypical
5 elementary, middle and secondary
6 schools; PLUS
7 1 FTE position for every 250 students
8 in secondary schools.
9
10 Librarian: 1.0 for each prototypical elementary,
11 middle and high school.
12
13 Library media tech: 1.0 for each prototypical middle and
14 high school.
15
16 Principal: 1.0 for all schools down to 96 ADM
17 elementary and 105 ADM middle and
18 high, prorated by ADM below these ADM
19 levels.
20
21 Assistant principal: Begin phasing in 1 assistant principal
22 for every 315 students at 316 ADM
23 middle and high school.
24
25 Secretary: 1.0 for 288 ADM prototypical
26 elementary;
27 1.0 for 315 ADM prototypical middle
28 school;
29 1.0 for 315 ADM and 630 ADM
30 prototypical high school.
31
32 Clerical: 1.0 for 288 ADM prototypical
33 elementary school;
34 1.0 for 315 ADM prototypical middle
35 school;
36 2.0 for 315 ADM prototypical high
37 school.
38
39 Books/Ins. Materials: \$296.99/elementary and middle school
40 ADM;
41 \$363.65/high school ADM.
42
43 Computers, equipment: \$260/ADM.
44
45 Special education: 100 percent state reimbursement of
46 prior year actual expenditures.
47

1 Gifted: \$26/ADM.
2
3 Vocational education: 0.29 times FTE vocational education
4 ADM;
5 \$8040.74/FTE vocational education
6 teacher for equipment and supplies.
7
8 Student activities: Resource under the following school
9 configurations:
10 K-5 elementary school: \$21.63/ADM;
11 6-8 middle school: From ~~\$684.32/ADM~~
12 \$711.69/ADM at 1 ADM school
13 to ~~\$176.80/ADM~~ \$183.88/ADM
14 for 1260 ADM school;
15 9-12 high school: From ~~\$1764.01/ADM~~
16 \$1834.60/ADM for 1 ADM school
17 to ~~\$520.00/ADM~~ \$540.80/ADM
18 for 1260 ADM school.
19
20 Professional development:
21 In addition to the above instructional
22 facilitators/coaches:
23 5 extra days in teacher yearly
24 contract, at statewide average of \$238
25 per day, which will vary by district
26 average salary levels;
27 Plus \$104/ADM for trainers.
28
29 Assessment: In addition to all other professional
30 development resources:
31 \$33.58/ADM.
32
33 Central office staff: District ADM 500 and below:
34 3 administrative and 3 secretarial;
35
36 District ADM from 500 to 1000:
37 Proration of an additional
38 administrative and secretarial
39 position;
40
41 District ADM at 1000:
42 4 administrative and 4 secretarial;
43 adjusted upwards to 3500 ADM.
44
45 District ADM at 3500:
46 8 administrative and 10 secretarial,

1 prorated up for districts with ADM
2 greater than 3500.
3
4 Central office nonpersonnel expenses:
5 \$312/ADM
6
7 Transportation: 100 percent state reimbursement of
8 prior year actual expenditures.
9
10 Food services: Assumed to be self supporting program.
11
12 Maintenance and operations: Based on ADM, gross square
13 footage and number of buildings and
14 rooms for custodians, facilities
15 maintenance and groundskeepers.
16
17 M & O supplies: \$0.57 per 110 percent of gross square
18 feet of authorized education space.
19
20 Utilities: Actual 2004-2005 expenditures by
21 district inflated up in subsequent
22 years by inflation factor.
23
24 School adjustments: For all schools with 49 or fewer ADM,
25 resource with 1 assistant principal
26 position plus 1 FTE teacher position for
27 every 7 students for all staff;
28
29 For all schools with 49 or fewer ADM
30 within a district comprised solely of
31 schools with 49 or fewer ADM, resource
32 with 1 assistant principal position plus
33 1.5 FTE teacher positions for every 7
34 students for all staff;
35
36 Minimum 6 teachers in elementary
37 schools greater than 49 ADM;
38
39 For a K-5 or K-6 school, resource as
40 elementary school;
41
42 For a K-7, K-8 or K-9 school, resource
43 K-5 as elementary school and remainder
44 as middle school;
45

1 For K-12 school, resource as K-5
 2 elementary, 6-8 middle and 9-12 high
 3 school;

4
 5 For 6/7-12 school, resource as 6-8
 6 middle and 9-12 high school.

7
 8
 9 Average Salaries:

10	Teachers	\$ 43,938.00
11	Teachers with 5 extra days	\$ 45,126.00
12	Principals	\$ 73,994.00
13	Assistant principals	\$ 62,085.00
14	Superintendents	\$ 95,211.00
15	Assistant superintendents	\$ 76,168.80
16	Business managers	\$ 64,202.00
17	Aides	\$ 16,430.00
18	Media technicians	\$ 38,747.00
19	Central office secretaries	\$ 31,073.00
20	School secretaries	\$ 28,868.00
21	School clerical staff	\$ 22,206.00

22	Maintenance and operations:	
23	Maintenance/groundskeepers	\$ 31,866.00
24	Custodians	\$ 26,582.00

25
 26
 27 Benefits: 19.66 percent plus ~~\$8,169 for~~ health as
 28 computed under W.S. 21-13-309(m) (v) (F).
 29

30 Regional cost adjustment: As provided by W.S.
 31 21-13-309(m) (v) (C).
 32

33 External cost adjustment:
 34 As provided by W.S. 21-13-309(o).
 35

36 **Section 402.** Notwithstanding W.S.
 37 21-13-309(m) (v) (F) (II) and for computations applicable for
 38 school year 2007-2008 only, the health insurance component
 39 within the education resource block grant model computed
 40 under W.S. 21-13-309(m) (v) (F) (II) shall be based upon the
 41 annualized state contribution rate as of April 1, 2007, on

1 behalf of each employee and official enrolled in the state
2 group health insurance plan, for employee only, split
3 contracts, employee plus spouse or children and family
4 coverage.

5
6 **Section 403.** The department of education shall adjust
7 the 2006-2007 school year entitlements for each district in
8 accordance with section 1 of this act pertaining to the
9 student activities component, and shall make necessary
10 payment adjustments to districts before April 1, 2007, as
11 provided under W.S. 21-13-313(c). In addition, the
12 department shall accordingly and as necessary adjust the
13 amount recaptured from any district under W.S.
14 21-13-102(b).

15
16 [SECTION 5. APPROPRIATIONS]

17
18 **Section 501.**

19
20 (a) For the period commencing on the effective date
21 of this act and extending through June 30, 2008, two
22 hundred thousand dollars (\$200,000.00) is appropriated from
23 the school foundation program account to the state
24 superintendent of public instruction to cover expenses

1 associated with the conduct of the study required under
2 section 103 of this act, including acquisition of necessary
3 consulting expertise.

4
5 (b) For the period beginning on the effective date of
6 this act and ending on June 30, 2008, fifty thousand
7 dollars (\$50,000.00) is appropriated from the school
8 foundation program account to the state superintendent of
9 public instruction to pay the expenses of necessary staff
10 support, task force members' travel and per diem expenses,
11 meeting expenses and any consulting expertise required to
12 conduct the study required under section 301 of this act.

13
14 [SECTION 6. EFFECTIVE DATE]

15
16 **Section 601.** This act is effective immediately upon
17 completion of all acts necessary for a bill to become law
18 as provided by Article 4, Section 8 of the Wyoming
19 Constitution.

20
21 (END)