

S.F. No. 0165**School finance-education funding reductions.**

Sponsored By: Senator(s) Landen, Burns, Coe, Dockstader,
Driskill, Pappas and Perkins

AN ACT relating to school finance; making temporary and permanent reductions and contingent further modifications to education funding; creating a select committee on school finance recalibration as specified; limiting transportation expenditures; authorizing Medicaid reimbursement for special education purposes as specified; providing appropriations; modifying previous appropriations; providing rulemaking authority; providing applicability; and providing for effective dates.

1/25/2017 Bill Number Assigned
1/26/2017 S Received for Introduction
1/26/2017 S Introduced and Referred to S04 - Education
2/1/2017 S04 - Education:Recommend Amend and Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Coe, Ellis, Pappas, Wasserburger

Nays: Senator Rothfuss

Ayes 4 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/1/2017 Rerefer to S02 - Appropriations
2/2/2017 S02 - Appropriations:Recommend Do Pass 3-1-1-0-0

ROLL CALL

Ayes: Senator(s) Burns, Driskill, Landen B

Nays: Senator Hastert

Excused: Senator Dockstader

Ayes 3 **Nays** 1 **Excused** 1 **Absent** 0 **Conflicts** 0

2/2/2017 S Placed on General File

SF0165SS001/ADOPTED

That Substitute No. 1 for SF 0165 DO Pass. COE, CHAIRMAN

SF0165SW001/ADOPTED**[TO SUBSTITUTE BILL No. 1]**

Page 6-line 2 After "(xxx)," insert "(xxxi),".

Page 9-after line 9 Insert:

"(xxxi) Transportation:

~~100% state~~
~~reimbursement of~~
~~prior year actual~~
~~expenditures~~
Computed in
accordance with
W.S. 21-13-320".
LANDEN

2/3/2017 S COW:Passed

SF0165S2001/WITHDRAWN**SF0165S2002/ADOPTED****[TO SUBSTITUTE BILL No. 1]**

Section 6. The department of education and department of health shall promulgate rules by July 1, 2017 to comply with amendments to W.S. 21-13-321 and 42-4-103 in section 1 of this act. If the Medicaid state plan is amended to allow reimbursement for special education services, school districts may seek reimbursement for allowable expenditures. The Medicaid program may seek and receive reimbursement from the appropriation under this section for the state share of these Medicaid expenses. On the effective date of this section there is appropriated up to five million dollars (\$5,000,000.00) from the school foundation program account to the department of education. This amount shall only be expended on a district by district basis as determined necessary by the state superintendent to ensure all maintenance of effort requirements of federal law are being met by each district and

to provide matching funds required for reimbursement by the Medicaid program. Any unexpended, unencumbered amounts appropriated under this section shall revert as provided by law on June 30, 2018."

Page 13-line 32 Delete "6." Insert "7."

Page 17-line 10 Delete "7." Insert "8."

Page 18-line 5 Delete "8." Insert "9."

Page 18-line 11 Delete "6 and 7" insert "7 and 8". SCOTT

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

SF0165S2003.01/ADOPTED

[DIVIDED AMENDMENT]

(CORRECTED COPY)

[TO SUBSTITUTE BILL No. 1]

Page 1-line 13 After "(m)" insert "and 21-13-335(d) (intro)".

Page 5-after line 21 Insert:

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

(d) Financial assistance under this section shall be based upon prior year school level attendance and configuration reports submitted by each eligible school district pursuant to W.S. 21-13-309(m)(iv). Grant amounts shall be computed by the department for the eligible applicant district as if the education resource block grant model contained the following component for instructional facilitators, funded at an amount equal to ~~sixty percent (60%)~~ forty-five percent (45%) for the 2017-2018 school year and thirty percent (30%) for each school year thereafter for each full-time equivalent position, prorated up and down from the FTE position level specified for each prototype similar to computational operation of other components within the block grant model:". COE, SCOTT, LANDEN, DOCKSTADER, DRISKILL

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Baldwin, Barnard, Bebout, Bouchard, Burns, Case, Coe, Emerich, Hicks, Kinskey, Landen, Meier, Moniz, Pappas, Perkins, Peterson, Scott, Von Flatern

Nays: Senator(s) Anselmi-Dalton, Boner, Christensen, Dockstader, Driskill, Ellis, Hastert, Nethercott, Rothfuss, Wasserburger

Ayes 20 **Nays** 10 **Excused** 0 **Absent** 0 **Conflicts** 0

SF0165S2003.02/ADOPTED

[DIVIDED AMENDMENT]

(CORRECTED COPY)

[TO SUBSTITUTE BILL No. 1]

Page 1-line 1 After "temporary" insert "and permanent".

Page 1-line 11 Delete "21-13-309(p)" insert "21-13-309(m) (v) (F), (p)".

Page 1-line 12 After "(y)" delete "and" insert ",",

Page 2-after line 18 Insert:

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

(v) Based upon ADM computations and identified school configurations within each district pursuant to paragraph (iv) of this subsection, compute the foundation program amount for each district as

prescribed by the education resource block grant model adopted by the Wyoming legislature as defined under W.S. 21-13-101(a)(xiv), as contained within the spreadsheets and accompanying reports referenced under W.S. 21-13-101(a)(xvii), on file with the secretary of state and maintained by the state superintendent pursuant to W.S. 21-2-202(e). The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

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

(I) Except as provided in subdivision (III) of this subparagraph, prior year statewide average district weighted actual participation in district health insurance plans as to the proportion of employee only, split contracts, employee plus spouse or children and family coverage; and

(II) Except as provided in subdivision (III) of this subparagraph, the annualized state contribution rate as of January 1 of the preceding school year, on behalf of each employee and official enrolled in the state group health insurance plan, for employee only, split contracts, employee plus spouse or children and family coverage;—and

(III) For school year 2017-2018 only, the amount for health insurance shall be calculated on a reimbursement basis only for individuals actually employed by the district and shall not be paid with funds received pursuant to the foundation program amount under W.S. 21-13-309(p) or funds received under W.S. 21-13-334 or 21-13-335. The amount calculated shall be based upon prior year actual participation in district health insurance plans and shall not exceed the annualized state contribution rate as of January 1, 2016, on behalf of each employee and official enrolled in the state group health insurance plan, for employee only, split contracts, employee plus spouse or children and family coverage, as applies to the coverage of each district employee participating in district health insurance plans. This subdivision shall not apply to health insurance amounts generated for employees funded as special education employees, transportation employees, food service employees or employees that are funded one hundred percent (100%) with federal funds and the amounts for those employees shall be based on subdivisions (I) and (II) of this subparagraph to the extent applicable. Employees funded with less than one hundred percent (100%) federal funds shall be calculated based on the pro rata amount that the salary of each employee is paid with foundation program funds or funds received under W.S. 21-13-334 or 21-13-335."

Page 4-line 14 Delete "the amount" insert "an average of the amounts".

Page 4-line 15 Delete "school year 2017-2018" insert "school years 2015-2016, 2016-2017 and 2017-2018".

Page 18-after line 3 Insert and renumber:

"Section 8.

(a) There is appropriated two hundred six million dollars (\$206,000,000.00) from the school foundation program account to the department of education. This appropriation shall be for the period beginning with the effective date of this section and ending June 30, 2018. This appropriation shall only be expended for the purpose of providing health insurance funding to school districts as provided in W.S. 21-13-309(m) (v) (F) (III). Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this

appropriation shall revert as provided by law on June 30, 2018.

(b) The department of education shall adopt rules and regulations for reimbursement of health insurance to school districts as provided in W.S. 21-13-309(m)(v)(F)(III) not later than July 1, 2017."

Page 18-line 5 Delete "8." Insert "9."

Page 18-line 11 Delete "and 7" insert "through 8". COE, SCOTT, LANDEN, DOCKSTADER, DRISKILL

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

Excused: Senator Case

Ayes 29 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

SF0165S2003.03/ADOPTED

[DIVIDED AMENDMENT]

(CORRECTED COPY)

[TO SUBSTITUTE BILL No. 1]

Page 1-line 11 Delete "21-13-309(p)" insert "21-13-309(m)(v) by creating a new subparagraph (H), (p)".

Page 2-after line 18 Insert:

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

(v) Based upon ADM computations and identified school configurations within each district pursuant to paragraph (iv) of this subsection, compute the foundation program amount for each district as prescribed by the education resource block grant model adopted by the Wyoming legislature as defined under W.S. 21-13-101(a)(xiv), as contained within the spreadsheets and accompanying reports referenced under W.S. 21-13-101(a)(xvii), on file with the secretary of state and maintained by the state superintendent pursuant to W.S. 21-2-202(e). The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

(H) For school year 2018-2019 only, the amount within the block grant model for core teachers and specialist teachers as defined in "Attachment A" shall be reduced based upon the actual number of core and specialist teachers employed by the school district in school year 2016-2017 so that no district shall receive funding for more core and specialist teachers than were actually employed by the district in the 2016-2017 school year. This subparagraph shall not apply to minimum teachers or any calculation for alternative schools or small schools." COE, SCOTT, LANDEN, DOCKSTADER, DRISKILL

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Scott, Von Flatern, Wasserburger

Nays: Senator(s) Anselmi-Dalton, Hastert, Rothfuss

Ayes 27 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0

2/6/2017 S 2nd Reading:Passed

SF0165S3001/ADOPTED

(CORRECTED COPY)

[TO SUBSTITUTE BILL No. 1]

Page 4-line 15

Delete the Coe et al. Second Reading Amendment (SF0165S2003.02/AC) to this line and further amend as follows: delete "2017-2018" insert "2011-2012". HICKS

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Baldwin, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Emerich, Hicks, Kinskey, Landen, Meier, Moniz, Perkins, Peterson, Scott, Von Flatern

Nays: Senator(s) Anselmi-Dalton, Barnard, Ellis, Hastert, Nethercott, Pappas, Rothfuss, Wasserburger

Ayes 22 **Nays** 8 **Excused** 0 **Absent** 0 **Conflicts** 0

SF0165S3002/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 2-line 7

After "year." insert "Pupils who attend at least eighty percent (80%) of a full-time equivalency basis shall be considered full-time.". DOCKSTADER

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Christensen, Coe, Dockstader, Driskill, Emerich, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Scott

Nays: Senator(s) Case, Ellis, Hastert, Rothfuss, Von Flatern, Wasserburger

Ayes 24 **Nays** 6 **Excused** 0 **Absent** 0 **Conflicts** 0

SF0165S3003/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 1-line 11

Delete the Coe et al. Second Reading Amendment (SF0165S2003.02/AC) and the Coe et al. Second Reading Amendment (SF0165S2002.03/AC) to this line and further amend as follows: Delete "21-13-309(p)" insert "21-13-309(m) (v) (F) and by creating a new subparagraph (H), (p)".

Page 1-line 13

In the Scott Second Reading Amendment (SF0165S2002/A) to this line after "21-13-321(b)" insert "and by creating a new subsection (h)".

Page 2-after line 18

Delete the Coe et al. Second Reading Amendment (SF0165S2003.02/AC) and the Coe et al. Second Reading Amendment (SF0165S2002.03/AC) to this line and further amend as follows: Insert:

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

(v) Based upon ADM computations and identified school configurations within each district pursuant to paragraph (iv) of this subsection, compute the foundation program amount for each district as prescribed by the education resource block grant model adopted by the Wyoming legislature as defined under W.S. 21-13-101(a)(xiv), as contained within the spreadsheets and accompanying reports referenced under W.S. 21-13-101(a)(xvii), on file with the secretary of state and maintained by the state superintendent pursuant to W.S. 21-2-202(e).

The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

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

(I) Except as provided in subdivision (III) of this subparagraph, prior year statewide average district weighted actual participation in district health insurance plans as to the proportion of employee only, split contracts, employee plus spouse or children and family coverage; and

(II) Except as provided in subdivision (III) of this subparagraph, the annualized state contribution rate as of January 1 of the preceding school year, on behalf of each employee and official enrolled in the state group health insurance plan, for employee only, split contracts, employee plus spouse or children and family coverage; and

(III) For school year 2017-2018 only:

(1) The amount for health insurance shall be calculated on a reimbursement basis only for individuals actually employed by the district and shall not be paid with funds received pursuant to the foundation program amount under W.S. 21-13-309(p) or funds received under W.S. 21-13-334 or 21-13-335. The amount calculated shall be based upon actual participation in district health insurance plans and shall be based on the district's employer paid premium cost not to exceed the annualized state contribution rate as of January 1, 2017, on behalf of each employee and official enrolled in the state group health insurance plan, for employee only, split contracts, employee plus spouse or children and family coverage, as applies to the coverage of each district employee participating in district health insurance plans;

(2) This subparagraph shall not apply to health insurance amounts generated for employees funded as special education employees, transportation employees, food service employees or employees who are funded one hundred percent (100%) with federal funds;

(3) Employees funded with less than one hundred percent (100%) federal funds shall be calculated based on the pro rata amount that the salary of each employee is paid with foundation program funds or funds received under W.S. 21-13-334 or 21-13-335 and calculated as provided in this subdivision.

(H) For school year 2018-2019 only, the amount within the block grant model for core teachers and specialist teachers as defined in "Attachment A" shall be reduced based upon the actual number of core and specialist teachers employed by the school district in school year 2016-2017 so that no district shall receive funding for

more core and specialist teachers than were actually employed by the district in the 2016-2017 school year. This subparagraph shall not apply to minimum teachers or any calculation for alternative schools or small schools."

Page 18-line 5 Delete the Coe et al. Second Reading Amendment (SF0165S2003.02/AC) to this line and further amend as follows: Delete "8." Insert "10."

Page 18-line 11 Delete the Scott Second Reading Amendment (SF0165S2002/A) and the Coe et al. Second Reading Amendment (SF0165S2003.02/AC) to this line and further amend as follows: delete "and 7" insert "through 9".

To the extent required by this amendment: adjust totals; and renumber as necessary. COE

SF0165S3004/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 5-after line 21 In the Scott second reading amendment (SF0165S2002/A) to this line, in paragraph 42-4-103(a)(xxxii) delete "Special education services delivered pursuant to an individualized education program." insert "Services administered by public schools necessary for medical, social, educational, special educational, occupational, speech, physical therapy and audiology needs and related services;". NETHERCOTT

2/7/2017 S 3rd Reading:Passed 27-3-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Scott, Von Flatern, Wasserburger

Nays: Senator(s) Anselmi-Dalton, Hastert, Rothfuss

Ayes 27 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0

2/8/2017 H Received for Introduction

2/13/2017 H Introduced and Referred to H04 - Education

2/24/2017 H04 - Education:Recommend Amend and Do Pass 7-2-0-0-0

ROLL CALL

Ayes: Representative(s) Bovee, Flitner, Freeman, Hunt, Northrup, Paxton, Piiparinen

Nays: Representative(s) Brown, Kinner

Ayes 7 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/24/2017 Rerefer to H02 - Appropriations

2/27/2017 H02 - Appropriations:Recommend Do Pass 7-0-0-0-0

ROLL CALL

Ayes: Representative(s) Burkhart, Larsen, Nicholas, Schwartz, Sommers, Walters, Wilson

Ayes 7 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/27/2017	H Placed on General File
2/28/2017	H Did Not Consider in COW