

ENROLLED ACT NO. 56, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2026 BUDGET SESSION

AN ACT relating to K-12 public school finance; implementing the 2025 cost of education study as modified by the legislature; modifying the education resource block grant model; modifying cash reserves; restricting expenditure of funds distributed through the school foundation program account; creating a new grant program for the post secondary education enrollment options program; making conforming amendments; requiring rulemaking; repealing provisions; providing an appropriation; and providing for effective dates.

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

Section 1. W.S. 21-13-309.1 and 21-13-339 through 21-13-341 are created to read:

21-13-309.1. Education resource block grant model components.

(a) This section is intended to specify the education resource block grant model components and computations necessary to execute the 2025 cost of education study as required by W.S. 21-13-309(t) and as adopted and modified by the legislature.

(b) As used in this section:

(i) "Average daily membership" or "ADM" means as defined by W.S. 21-13-101(a)(i) and calculated pursuant to W.S. 21-13-309(m)(iv);

(ii) "Education resource block grant model" means as defined by W.S. 21-13-101(a)(xiv);

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(iii) "Co-located school" means two (2) or more schools, each with its own administrative structure, that operate within the same physical facility, regardless of whether the schools serve the same or different grade bands;

(iv) "FTE" means full-time equivalency basis as computed in accordance with the department of education rule;

(v) "Grade band" means a school grade configuration that falls within one (1) of the following configurations:

(A) An elementary school grade band that includes grades kindergarten through grade six (6) or any combination of those grades;

(B) A middle school grade band that includes grades five (5) through eight (8) or grade six (6) through grades nine (9) or any combination of grades within those ranges;

(C) A high school grade band that includes grades eight (8) through grade twelve (12) or any combination of those grades.

(c) The education resource block grant model components and associated resources are as follows:

(i) Full day kindergarten. Funded for all elementary school grade bands;

(ii) Core teachers. For any school with greater than fifty (50) ADM, one (1.0) FTE for every sixteen (16)

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ADM for grades kindergarten through three (3), one (1.0) FTE for every twenty-two (22) ADM for grades four (4) through eight (8) and one (1.0) FTE for every twenty-five (25) ADM for grades nine (9) through twelve (12);

(iii) Elective/specialist teachers:

(A) Elementary school grade bands. FTE equal to twenty percent (20%) of the core teachers calculated pursuant to paragraph (ii) of this subsection;

(B) Middle school grade bands. FTE equal to thirty-three and one-third percent (33 1/3%) of the core teachers calculated pursuant to paragraph (ii) of this subsection;

(C) High school grade bands. FTE equal to thirty-three and one-third percent (33 1/3%) of the core teachers calculated pursuant to paragraph (ii) of this subsection.

(iv) For any school with greater than fifty (50) ADM, additional career and technical education teachers. FTE equal to thirty-four percent (34%) of each school's career and technical education students as determined pursuant to W.S. 21-13-309(m)(v)(D)(I), divided by twenty-five (25);

(v) Minimum teachers. Resourced at the highest prototypical school model:

(A) For any school with greater than fifty (50) ADM, if the combined total FTE calculated pursuant to paragraphs (ii), (iii) and (iv) of this subsection is less than the applicable minimum specified in subdivisions (I)

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through (III) of this subparagraph, the grade band shall be provided the applicable minimum teacher FTEs as follows:

(I) For an elementary school grade band with greater than fifty (50) ADM, six (6) FTE and for an elementary school grade band with fifty (50) ADM or less, six (6) FTE reduced on a pro rata basis, calculated by multiplying six (6) teacher FTEs by a fraction, the numerator of which is the elementary school grade band ADM and the denominator of which is fifty (50);

(II) For a middle school grade band with greater than fifty (50) ADM, seven (7) FTE and for a middle school grade band with fifty (50) ADM or less, seven (7) FTE reduced on a pro rata basis, calculated by multiplying seven (7) teacher FTEs by a fraction, the numerator of which is the middle school grade band ADM and the denominator of which is fifty (50);

(III) For a high school grade band with greater than fifty (50) ADM, nine (9) FTE and for a high school grade band with fifty (50) ADM or less, nine (9) FTE reduced on a pro rata basis, calculated by multiplying nine (9) teacher FTEs by a fraction, the numerator of which is the high school grade band ADM and the denominator of which is fifty (50).

(B) For any school with fifty (50) ADM or less, the minimum teacher FTEs shall be provided as follows:

(I) For an elementary school, six (6) FTE reduced on a pro rata basis, calculated by multiplying six (6) teacher FTEs by a fraction, the numerator of which

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is the school's ADM and the denominator of which is fifty (50);

(II) For a middle school, seven (7) FTE reduced on a pro rata basis, calculated by multiplying seven (7) teacher FTEs by a fraction, the numerator of which is the school's ADM and the denominator of which is fifty (50);

(III) For a high school, nine (9) FTE reduced on a pro rata basis, calculated by multiplying nine (9) teacher FTEs by a fraction, the numerator of which is the school's ADM and the denominator of which is fifty (50);

(IV) Notwithstanding subdivisions (I) through (III) of this subparagraph, each school shall receive a minimum of one (1.0) FTE.

(C) For any school district that includes grades kindergarten through grade twelve (12), if the combined total FTE calculated pursuant to paragraphs (ii), (iii) and (iv) of this subsection and subparagraphs (A) and (B) of this paragraph is less than seventeen (17) for the school district, additional FTEs shall be provided to ensure the total teacher FTE for the school district is equal to seventeen (17).

(vi) Summer school teachers. One (1.0) FTE for every one hundred twenty (120) at-risk students identified pursuant to W.S. 21-13-309(m) (v) (A);

(vii) Extended day school teachers. One (1.0) FTE for every one hundred twenty (120) at-risk students identified pursuant to W.S. 21-13-309(m) (v) (A);

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(viii) English language learner teachers. One (1.0) FTE for every one hundred (100) students identified as limited English proficient in accordance with rules enacted by the department of education pursuant to W.S. 21-13-309(m) (v) (A);

(ix) Instructional facilitators. Resourced at the highest prototypical school model using total school ADM:

(A) Elementary schools. One and one-half (1.5) FTE for every three hundred thirty (330) ADM;

(B) Middle schools. One and one-half (1.5) FTE for every three hundred fifteen (315) ADM;

(C) High schools. One and one-half (1.5) FTE for every three hundred fifteen (315) ADM;

(D) Notwithstanding subparagraphs (A) through (C) of this paragraph, each school district shall receive a minimum of one (1.0) FTE.

(x) At-risk/core tutors. Resourced at the highest prototypical school model using total school ADM. One (1.0) FTE for every one hundred (100) at-risk students identified pursuant to W.S. 21-13-309(m) (v) (A), plus:

(A) Elementary schools. One (1.0) FTE for every three hundred thirty (330) ADM;

(B) Middle schools. One (1.0) FTE for every three hundred fifteen (315) ADM;

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(C) High schools. One (1.0) FTE for every three hundred fifteen (315) ADM.

(xi) Substitute teachers. An amount equal to:

(A) For FTEs, five and seven hundred fifteen thousandths percent (5.715%) of the combined total FTEs generated by paragraphs (ii) through (x) of this subsection;

(B) For employer paid social security and Medicare benefits, the amount calculated in subparagraph (A) of this paragraph multiplied by a daily salary as specified in subparagraph (xxxiv)(P) of this subsection, multiplied by seven and sixty-five hundredths percent (7.65%).

(xii) Counselors. Resourced at each grade band:

(A) Elementary school grade bands. One (1.0) FTE for every three hundred thirty (330) ADM;

(B) Middle school grade bands. One (1.0) FTE for every two hundred fifty (250) ADM;

(C) High school grade bands. One (1.0) FTE for every two hundred fifty (250) ADM;

(D) Notwithstanding subparagraphs (A) through (C) of this paragraph, each school district shall receive a minimum of one (1.0) FTE.

(xiii) Pupil support positions. One (1.0) FTE for every one hundred (100) at-risk students computed under W.S. 21-13-309(m) (v) (A);

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(xiv) Nurses. Resourced at the highest prototypical school model using total school ADM:

(A) Elementary schools. One (1.0) FTE for every three hundred thirty (330) ADM;

(B) Middle schools. One (1.0) FTE for every three hundred fifteen (315) ADM;

(C) High schools. One (1.0) FTE for every three hundred fifteen (315) ADM;

(D) Notwithstanding subparagraphs (A) through (C) of this paragraph, each school district shall receive a minimum of one-half (0.5) FTE.

(xv) Supervisory aides. Resourced at the highest prototypical school model using total school ADM:

(A) Elementary schools. Two (2.0) FTE for every three hundred thirty (330) ADM;

(B) Middle schools. Two (2.0) FTE for every three hundred fifteen (315) ADM;

(C) High schools. Three (3.0) FTE for every six hundred thirty (630) ADM.

(xvi) Librarians. Resourced at the highest prototypical school model using total school ADM:

(A) Elementary schools. One (1.0) FTE for every three hundred thirty (330) ADM up to three hundred thirty (330) ADM;

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(B) Middle schools. One (1.0) FTE for every three hundred fifteen (315) ADM up to three hundred fifteen (315) ADM;

(C) High schools. One (1.0) FTE for every six hundred thirty (630) ADM up to six hundred thirty (630) ADM;

(D) Notwithstanding subparagraphs (A) through (C) of this paragraph, each school district shall receive a minimum of one-half (0.5) FTE.

(xvii) Library aides. Resourced at the highest prototypical school model using total school ADM:

(A) Elementary schools. One (1.0) FTE for each additional three hundred thirty (330) ADM above three hundred thirty (330) ADM;

(B) Middle schools. One (1.0) FTE for each additional three hundred fifteen (315) ADM above three hundred fifteen (315) ADM;

(C) High schools. One (1.0) FTE for each additional six hundred thirty (630) ADM above six hundred thirty (630) ADM.

(xviii) Principals. Resourced at the highest prototypical school model using total school ADM:

(A) Elementary schools. One (1.0) FTE for each school with at least one hundred ten (110) ADM;

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(B) Middle schools. One (1.0) FTE for each school with at least one hundred five (105) ADM;

(C) High schools. One (1.0) FTE for each school with at least one hundred five (105) ADM.

(xix) Assistant principals. Resourced at the highest prototypical school model using total school ADM:

(A) Elementary schools. The greater of:

(I) One (1.0) FTE for each additional three hundred thirty (330) ADM above three hundred thirty (330) ADM; or

(II) One (1.0) FTE for schools with less than one hundred ten (110) ADM.

(B) Middle schools. The greater of:

(I) One (1.0) assistant principal position for each additional three hundred fifteen (315) ADM above three hundred fifteen (315) ADM; or

(II) One (1.0) FTE for schools with less than one hundred five (105) ADM.

(C) High schools. The greater of:

(I) One (1.0) assistant principal position for each additional three hundred fifteen (315) ADM above three hundred fifteen (315) ADM; or

(II) One (1.0) FTE for schools with less than one hundred five (105) ADM.

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(xx) School site secretaries. Resourced at the highest prototypical school model using total school ADM:

(A) Elementary schools. Two (2) FTE for three hundred thirty (330) ADM, prorated down to one and one-half (1.5) FTE for two hundred twenty (220) ADM, prorated down to one (1.0) FTE for one hundred ten (110) ADM, one (1.0) FTE prorated below one hundred ten (110) ADM. For schools with greater than three hundred thirty (330) ADM, one (1.0) additional FTE for each additional one hundred sixty-five (165) ADM;

(B) Middle schools. Two (2.0) FTE for three hundred fifteen (315) ADM, prorated down to one and one-half (1.5) FTE for two hundred ten (210) ADM, prorated down to one (1.0) FTE for one hundred five (105) ADM, one (1.0) FTE prorated below one hundred five (105) ADM. For schools with ADM greater than three hundred fifteen (315) ADM, one (1.0) additional FTE for each additional one hundred fifty-seven and one-half (157.5) ADM;

(C) High schools. Three (3.0) FTE for six hundred thirty (630) ADM, prorated down to two (2.0) FTE for three hundred fifteen (315) ADM, prorated down to one and one-half (1.5) FTE for two hundred ten (210) ADM, prorated down to one (1.0) FTE for one hundred five (105) ADM, one (1.0) FTE prorated below one hundred five (105) ADM. For schools with ADM greater than six hundred thirty (630) ADM, one (1.0) additional FTE for each additional two hundred ten (210) ADM.

(xxi) Instructional and library materials. Three hundred dollars (\$300.00) per ADM;

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(xxii) Technology and equipment. Two hundred fifty dollars (\$250.00) per ADM;

(xxiii) Gifted and talented students. Twenty-five dollars (\$25.00) per ADM.

(xxiv) Student activities:

(A) School districts with two thousand (2,000) or more ADM: eight hundred thirty-three dollars (\$833.00) per high school grade band ADM, four hundred forty-seven dollars (\$447.00) per middle school grade band ADM and thirty-five dollars (\$35.00) per elementary school grade band ADM;

(B) School districts with five hundred (500) ADM: two thousand eighty-two dollars and fifty cents (\$2,082.50) per high school grade band ADM, one thousand one hundred seventeen dollars and fifty cents (\$1,117.50) per middle school grade band ADM and eighty-seven dollars and fifty cents (\$87.50) per elementary school grade band ADM;

(C) School districts with one hundred fifty (150) or fewer ADM: two thousand four hundred ninety-nine dollars (\$2,499.00) per high school grade band ADM, one thousand three hundred forty-one dollars (\$1,341.00) per middle school grade band ADM and one hundred five dollars (\$105.00) per elementary school grade band ADM;

(D) For school districts with less than two thousand (2,000) ADM and more than five hundred (500) ADM the per ADM amounts specified in subparagraph (A) of this paragraph shall be proportionally adjusted on a linear per

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ADM basis to the per ADM amounts specified in subparagraph (B) of this paragraph;

(E) For school districts with less than five hundred (500) ADM and more than one hundred fifty (150) ADM the per ADM amounts specified in subparagraph (B) of this paragraph shall be proportionally adjusted on a linear per ADM basis to the per ADM amounts specified in subparagraph (C) of this paragraph.

(xxv) Professional development. One hundred ninety-one dollars and forty-three cents (\$191.43) per ADM;

(xxvi) Short cycle and formative assessments. Twenty-five dollars (\$25.00) per ADM;

(xxvii) Central office staff. Central office staff shall be calculated utilizing the school district's ADM, as follows:

(A) For school districts with five hundred (500) ADM or less:

(I) One (1.0) FTE for a superintendent position;

(II) One and one-half (1.5) FTE for deputy/assistant superintendent positions;

(III) Two (2.0) FTE for secretary/accounting positions;

(IV) One (1.0) FTE for a computer technician position.

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(B) For school districts with more than five hundred (500) ADM and less than or equal to one thousand (1,000) ADM:

(I) One (1.0) FTE for a superintendent position;

(II) Two (2.0) FTE for deputy/assistant superintendent positions at one thousand (1,000) ADM prorated down to one and one-half (1.5) FTE for five hundred (500) ADM;

(III) Three (3.0) FTE for secretary/accounting positions at one thousand (1,000) ADM prorated down to two (2.0) FTE for five hundred (500) ADM;

(IV) Two (2.0) FTE for computer technician positions at one thousand (1,000) ADM prorated down to one (1.0) FTE for five hundred (500) ADM.

(C) For school districts with more than one thousand (1,000) ADM and less than or equal to two thousand (2,000) ADM:

(I) One (1.0) FTE for a superintendent position;

(II) Three (3.0) FTE for deputy/assistant superintendent positions at two thousand (2,000) ADM prorated down to two (2.0) FTE for one thousand (1,000) ADM;

(III) Six and one-half (6.5) FTE for secretary/accounting positions at two thousand (2,000) ADM

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prorated down to three (3.0) FTE for one thousand (1,000) ADM;

(IV) Two and one-half (2.5) FTE for computer technician positions at two thousand (2,000) ADM prorated down to two (2.0) FTE for one thousand (1,000) ADM.

(D) For school districts with more than two thousand (2,000) ADM and less than or equal to four thousand (4,000) ADM:

(I) One (1.0) FTE for a superintendent position;

(II) Four (4.0) FTE for deputy/assistant superintendent positions at four thousand (4,000) ADM prorated down to three (3.0) FTE for two thousand (2,000) ADM;

(III) Ten (10.0) FTE for secretary/accounting positions at four thousand (4,000) ADM prorated down to six and one-half (6.5) FTE for two thousand (2,000) ADM;

(IV) Five (5.0) FTE for computer technician positions at four thousand (4,000) ADM prorated down to two and one-half (2.5) FTE for two thousand (2,000) ADM;

(V) Three (3.0) FTE for director/coordinator positions at four thousand (4,000) ADM prorated down to zero (0.0) FTE for two thousand (2,000) ADM;

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(VI) One (1.0) FTE for a network supervisor position at four thousand (4,000) ADM prorated down to zero (0.0) FTE for two thousand (2,000) ADM;

(VII) One (1.0) FTE for a software manager position at four thousand (4,000) ADM prorated down to zero (0.0) FTE for two thousand (2,000) ADM.

(E) For school districts with more than four thousand (4,000) ADM and less than or equal to twelve thousand (12,000) ADM:

(I) One (1.0) FTE for a superintendent position;

(II) Four (4.0) FTE for deputy/assistant superintendent positions;

(III) Twenty (20.0) FTE for secretary/accounting positions at twelve thousand (12,000) ADM prorated down to ten (10.0) FTE for four thousand (4,000) ADM;

(IV) Fifteen (15.0) FTE for computer technician positions at twelve thousand (12,000) ADM prorated down to five (5.0) FTE for four thousand (4,000) ADM;

(V) Nine (9.0) FTE for director/coordinator positions at twelve thousand (12,000) ADM prorated down to three (3.0) FTE for four thousand (4,000) ADM;

(VI) Two (2.0) FTE for network supervisor positions at twelve thousand (12,000) ADM

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prorated down to one (1.0) FTE for four thousand (4,000) ADM;

(VII) Two (2.0) FTE for software manager positions at twelve thousand (12,000) ADM prorated down to one (1.0) FTE for four thousand (4,000) ADM;

(VIII) Ten (10.0) FTE for other central office professional positions at twelve thousand (12,000) ADM prorated down to zero (0.0) FTE for four thousand (4,000) ADM.

(F) For school districts with more than twelve thousand (12,000) ADM:

(I) One (1.0) FTE for a superintendent position;

(II) Four (4.0) FTE for deputy/assistant superintendent positions;

(III) Twenty (20.0) FTE for secretary/accounting positions prorated up from twelve thousand (12,000) ADM;

(IV) Fifteen (15.0) FTE for computer technician positions prorated up from twelve thousand (12,000) ADM;

(V) Nine (9.0) FTE for director/coordinator positions prorated up from twelve thousand (12,000) ADM;

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(VI) Two (2.0) FTE for network supervisor positions prorated up from twelve thousand (12,000) ADM;

(VII) Two (2.0) FTE for software manager positions prorated up from twelve thousand (12,000) ADM;

(VIII) Ten (10.0) FTE for other central office professional positions prorated up from twelve thousand (12,000) ADM.

(xxviii) Central office nonpersonnel resources. Six hundred six dollars (\$606.00) per ADM;

(xxix) School custodians. Resourced at the highest prototypical school model for each school operating for the immediately preceding school year:

(A) For schools with more than fifty (50) ADM, calculated using the average of the four (4) factors specified under subdivisions (I) through (IV) of this subparagraph, plus an additional one-half (0.5) FTE for middle or high schools:

(I) One (1.0) FTE for every thirteen (13) FTE resourced under paragraphs (ii) through (v) of this subsection;

(II) One (1.0) FTE for every three hundred twenty-five (325) ADM;

(III) One (1.0) FTE for every thirteen (13) classrooms;

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(IV) One (1.0) FTE for every eighteen thousand (18,000) square feet of authorized education space, as determined by W.S. 21-13-309(m) (v) (G).

(B) District custodians. One (1.0) FTE for every eighteen thousand (18,000) square feet of authorized education space, multiplied by ten percent (10%) of the total authorized education space for all school buildings in the district, as determined under W.S. 21-13-309(m) (v) (G).

(xxx) Maintenance workers. Resourced at the highest prototypical school model for each school operating for the immediately preceding school year:

(A) A base FTE resourced using the average of the four (4) factors specified under subdivisions (I) through (IV) of this subparagraph, plus the additional adjustments to the base FTE amount as provided in subdivision (V) of this subparagraph:

(I) One and one-tenth (1.1) FTE per school building;

(II) One (1.0) FTE for every sixty thousand (60,000) square feet of authorized education space, as determined under W.S. 21-13-309(m) (v) (G), multiplied by one and two-tenths (1.2);

(III) One (1.0) FTE for every one thousand (1,000) ADM, multiplied by one and three-tenths (1.3);

(IV) One (1.0) FTE for every five million dollars (\$5,000,000.00) of the school district's

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school year 2004-2005 general fund operating expenditures, multiplied by one and two-tenths (1.2);

(V) The base FTE calculated under this subparagraph for each school building shall be adjusted as follows:

(1) A school level adjustment for elementary schools equal to the product of the base FTE multiplied by a factor of eight-tenths (0.8) less the base FTE and for high schools equal to the product of the base FTE multiplied by two (2) less the base FTE;

(2) A building age adjustment for a school building that is less than ten (10) years old equal to the product of the base FTE multiplied by a factor of ninety-five hundredths (0.95) less the base FTE and for a school building that is more than thirty (30) years old equal to the product of the base FTE multiplied by a factor of one and one-tenth (1.1) less the base FTE;

(3) A small district adjustment for a school district with less than one thousand (1,000) ADM equal to the base FTE plus the adjustments under subdivisions (1) and (2) of this subdivision, then multiplied by a factor of one and one-tenth (1.1) less the base FTE and the adjustments under subdivisions (1) and (2) of this subdivision.

(xxxi) Groundskeepers. In making calculations under this paragraph:

(A) For school land acreage containing more than one (1) school building, the resources shall be generated at the highest applicable prototypical school

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model using the total ADM of all schools on the land acreage;

(B) Acreage acquired by a district after July 1, 1997 shall be calculated using the lesser of the actual site acreage on which the facility is situated or the acreage specified in the state construction department's rules, provided that this limitation shall not apply if the acreage was acquired through an exchange with another governmental entity and the acreages involved in the exchange were originally acquired by the district and the governmental entity on or prior to July 1, 1997;

(C) A base groundskeeper FTE for each school site for the immediately preceding school year shall be equal to the authorized acreage computed under subparagraphs (A) and (B) of this paragraph multiplied by ninety-three (93) hours per acre divided by two thousand eight (2,008) hours of work per year. The base groundskeeper FTE shall be adjusted by a factor equal to the base groundskeeper FTE multiplied by one and five-tenths (1.5) for middle school sites and two and five-tenths (2.5) for high school sites;

(D) Groundskeeper FTE positions for district level sites shall be equal to ten percent (10%) of the school level groundskeeper FTE positions calculated under subparagraph (C) of this paragraph.

(xxxii) Operations and maintenance supplies. The authorized education space for each school building, as determined under W.S. 21-13-309(m)(v)(G), multiplied by one dollar and two cents (\$1.02) per square foot and adjusted by a factor of one and one-tenth (1.1);

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(xxxiii) Utilities. Actual school year 2024-2025 general fund expenditures by school district excluding amounts reimbursed under W.S. 21-13-320 and 21-13-321 adjusted by the external cost adjustment in accordance with W.S. 21-13-309(o). For additional buildings added or removed from school district building inventories after school year 2024-2025, one hundred percent (100%) of 2024-2025 district average utility expenditures per gross square foot for district school buildings as adjusted by the external cost adjustment in accordance with W.S. 21-13-309(o) multiplied by the additional or removed square footage;

(xxxiv) Salaries. The average salaries for the positions specified in this subsection shall be as follows:

(A) Superintendents: one hundred sixty-four thousand three hundred sixty-seven dollars (\$164,367.00);

(B) Deputy/assistant superintendents: one hundred twenty-four thousand nine hundred ninety-four dollars (\$124,994.00);

(C) Director/coordinators: one hundred fifteen thousand nine hundred five dollars (\$115,905.00);

(D) Other central office professional personnel: ninety thousand dollars (\$90,000.00);

(E) Network supervisor/software managers: sixty-eight thousand five hundred sixteen dollars (\$68,516.00);

(F) Computer technicians: sixty thousand three hundred fifty-eight dollars (\$60,358.00);

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(G) Principals: one hundred fifteen thousand nine hundred five dollars (\$115,905.00);

(H) Assistant principals: one hundred eight thousand nine hundred fifty-one dollars (\$108,951.00);

(J) Teachers, including instructional facilitators, tutors, counselors, pupil support, librarians and nurses: seventy-five thousand eight hundred sixty-three dollars (\$75,863.00);

(K) Secretary/accounting personnel: forty-seven thousand four hundred thirty-two dollars (\$47,432.00);

(M) Supervisory/library aides: twenty-nine thousand four hundred thirty-four dollars (\$29,434.00);

(N) Maintenance workers: fifty-three thousand seven hundred twenty-four dollars (\$53,724.00);

(O) Groundskeepers/custodians: thirty-seven thousand six hundred five dollars (\$37,605.00);

(P) Substitute teachers: one hundred eighty-five dollars (\$185.00) per day.

(xxxv) In determining the resources allocated to each school district, each salary specified in paragraph (xxxiv) of this subsection shall be adjusted in the following order:

(A) Multiplied by the external cost adjustment adopted by the legislature pursuant to W.S.

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21-13-309(o) and in accordance with paragraph (xxxviii) of this subsection;

(B) Multiplied by the lowest regional cost adjustment specified in subsection (f) of this section for the applicable school year to establish a baseline salary;

(C) The baseline salary for each position computed in subparagraph (B) of this paragraph shall be further multiplied by each school district's rebased regional cost adjustment determined in subsection (f) of this section for the applicable school year to determine the salary for each school district for each position.

(xxxvi) Employer-paid payroll costs. In determining the resources allocated to each school district, each salary shall be multiplied by eight and forty-one hundredths percent (8.41%), including:

(A) Social security equal to six and two-tenths percent (6.2%). Social security benefits shall be limited to each salary up to the maximum taxable earnings amount as of January 1 of the immediately preceding school year;

(B) Medicare equal to one and forty-five hundredths percent (1.45%);

(C) Workers' compensation equal to seven-tenths percent (0.7%);

(D) Unemployment insurance equal to six-hundredths percent (0.06%).

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(xxxvii) Health insurance. Health insurance benefits shall be computed pursuant to W.S. 21-13-309(m) (v) (F);

(xxxviii) External cost adjustment. The following categories of model components shall be adjusted by the external cost adjustment adopted by the legislature pursuant to W.S. 21-13-309(o):

(A) "Education materials category" including the following components:

(I) Instructional and library materials component resourced under paragraph (xxi) of this subsection;

(II) Student activities component resourced under paragraph (xxiv) of this subsection;

(III) Professional development component determined under paragraph (xxv) of this subsection;

(IV) Central office nonpersonnel resources under paragraph (xxviii) of this subsection;

(V) Operations and maintenance supplies resources under paragraph (xxxii) of this subsection.

(B) "Energy category" includes the utilities component resourced under paragraph (xxxiii) of this subsection;

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(C) "Nonprofessional labor category" includes salaries for secretaries and accounting staff, supervisory and library aides, groundskeepers and custodians and maintenance workers identified under paragraph (xxxiv) of this subsection;

(D) "Professional labor category" including salaries for superintendents, deputy and assistant superintendents, directors and coordinators, other central office professional personnel, network supervisors and software managers, computer technicians, principals, assistant principals and teachers identified under paragraph (xxxiv) of this subsection.

(d) Amounts resourced through the education resource block grant model for FTE generated pursuant to paragraphs (c)(ii) through (x) of this section shall only be expended by a school district for instructional purposes and shall not be expended or transferred for any other purpose. As used in the subsection, "instructional purposes" includes individual, group or class instructional activities to provide educational programs required under W.S. 21-9-101 by teachers, tutors, paraeducators or instructional aides or any combination thereof, the use of instructional facilitators or any other instructional activity to assist in the instructional process. Nothing in this subsection shall prohibit a district from hiring fewer or more positions than resourced under paragraphs (c)(ii) through (x) of this section, prohibit a district from hiring paraeducators or instructional aides for instructional purposes or prohibit a district from contracting to deliver the educational program. Expenditures related to technology and equipment or instructional materials are not appropriate expenditures for instructional purposes under this subsection.

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(e) Notwithstanding any other provision of law, co-located schools shall be treated as a single school for purposes of funding, staffing and resource allocation through the education resource block grant model. The ADM for co-located schools shall be aggregated, and no component of the education resource block grant model, or any categorical allocation shall be calculated or distributed on a separate or duplicative basis for co-located schools, unless expressly authorized by law.

(f) The salary for each staffing category shall be further adjusted for regional cost differences as follows:

(i) By the hedonic wage index as computed in the 2025 cost of education study. For school year 2027-2028 and each year thereafter, the hedonic wage index shall be updated annually by the legislative service office until it is recalibrated in accordance with W.S. 21-13-309(t). Each salary under paragraph (c)(xxxiv) of this section shall be adjusted by the lowest annual hedonic wage index to establish a baseline state average salary for each position in the education resource block grant model. The baseline state average salary shall be further adjusted by each school district's rebased hedonic wage index with a minimum of one hundred (100) as the index value or an adjusted rebased hedonic wage index as computed in paragraph (ii) of this subsection;

(ii) If the difference between a school district's rebased Wyoming cost-of-living index and its rebased hedonic wage index is greater than thirty-three (33) percentage points, the difference, less thirty-three (33) percentage points, shall be added to a district's rebased hedonic wage index. The version of the Wyoming

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cost-of-living index used under this paragraph for any school year shall be the average of the six (6) consecutive semi-annual index reports completed by January 1 of the immediately preceding school year and each semi-annual index report shall be rebased with the minimum of one (100) as the index value.

21-13-339. Retirement; K-12 public school employees.

In addition to amounts resourced and computed by the education resource block grant model and amounts reimbursed under W.S. 21-13-320 and 21-13-321, the department of education shall reimburse each school district for retirement benefits equal to the percentage paid for state employee members under W.S. 9-3-413 and 9-3-413.1, but only for those employees' salaries paid from amounts specified by W.S. 21-13-309.1, 21-13-320 or 21-13-321. If a portion of an employee's total salary is paid from funds other than those amounts specified by W.S. 21-13-309.1, 21-13-320 or 21-13-321, only the proportional amount shall be subject to reimbursement. The department shall promulgate rules regarding employee eligibility for reimbursement under this section and the information required from school districts to reimburse retirement benefit costs under this section. The department shall reimburse the amount computed under this section to each school district monthly or in accordance with the schedule provided under W.S. 21-13-313(c).

21-13-340. Instructional reserve account; expenditures; reporting.

(a) Each school district may establish an instructional reserve account.

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(b) The account shall consist of any unexpended and unencumbered funds resourced through the education resource block grant model, pursuant to W.S. 21-13-309.1(c)(ii) through (x), for instructional purposes, as defined by W.S. 21-13-309.1(d). Interest and other earnings shall be credited to the account. Unexpended and unencumbered monies within the account at the end of each fiscal year shall not lapse but shall remain in the account. These funds shall be excluded from the school district's operating balance and cash reserves calculated pursuant to W.S. 21-13-313(e). In no event shall these funds be transferred or expended for any other purpose, except as authorized by subsection (c) of this section.

(c) Funds within the instructional reserve account may be expended by school districts for instructional purposes as defined by W.S. 21-13-309.1(d), to mitigate the fiscal impact of declining enrollment or to recruit, hire and retain instructional personnel.

(d) Each school district shall report annually to the department of education the balance of the instructional reserve account and a general accounting of the expenditures from the account. Reporting shall be in the manner and form required by the department of education.

(e) The department of education shall promulgate rules, including reporting requirements and procedures for districts, to implement this section.

21-13-341. Dual enrollment district reimbursement program; administration; application; distribution.

(a) In addition to funding generated by the education resource block grant model, the department of education

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shall reimburse each school district for amounts expended for student enrollment in and completion of dual enrollment courses pursuant to an agreement with the University of Wyoming or a community college under W.S. 21-20-201. From amounts appropriated by the legislature, the department of education shall distribute funds not to exceed ten million dollars (\$10,000,000.00) each school year from the public school foundation program account pursuant to this section.

(b) The department of education shall promulgate rules necessary to implement this section. The rules shall, at a minimum, establish the form, manner and procedures for submitting reimbursement requests and the timeline and process for approval or denial. Any denial shall be in writing and shall state the specific reasons for the denial.

(c) The department shall annually distribute funds to school districts in accordance with this section. If the funds appropriated for this program are insufficient to pay approved reimbursement expenses submitted by school districts, the payments shall be reduced on a pro rata basis relative to each school district's proportion of completed credit hours.

(d) Notwithstanding any other provision of law, school districts, the University of Wyoming and community colleges shall not limit the number of dual enrollment courses in which a student may enroll pursuant to W.S. 21-20-201.

(e) Not later than October 1 of each year, the department of education shall report to the joint education interim committee the total reimbursements awarded, the number of participating districts and students, total

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credit hours funded and the rate of completion and any pro rata reductions pursuant to subsection (c) of this section.

Section 2. W.S. 9-3-413.1(a)(v), 16-4-105(b), 21-2-202(g), 21-2-204(b)(intro), 21-3-110(a) by creating a new paragraph (xlv), 21-3-314(c)(i) and (vi), 21-13-101(a)(xiv), (xvi)(A)(II) through (IV) and (c), 21-13-102(e), 21-13-307 by creating a new subsection (c), 21-13-309(m)(iv)(A), (v)(intro), (B)(intro), (IV)(intro), (F)(I), (II), by creating a new subdivision (IV), (G)(intro), (I), (II), (vi)(C), (o) and (u), 21-13-310(a) by creating new paragraph (xv) and by renumbering (xv) as (xvi), 21-13-313(b), (c), (e) and (g), 21-13-320(b)(intro), (f), (g)(intro), (v)(intro), (A), (vi), (m) and by creating a new subsection (o), 21-13-321(b) and (d), 21-13-338(a), (c)(intro), (i) through (iii) and (e) and 21-13-504 are amended to read:

9-3-413.1. Members' and employers' contributions based on actuarially determined contribution rates; calculation of rates; reports.

(a) Beginning with the 2027-2028 fiscal biennium, the retirement system shall calculate the percentage of salary for members' contributions required under W.S. 9-3-412(a) and for the employers' contribution required under W.S. 9-3-413 based on an actuarially determined contribution rate in accordance with the following:

(v) After calculation of the actuarially determined contribution rate under paragraph (ii) of this subsection, the state budget department and the retirement system shall calculate necessary amounts to account for any changes in the appropriations necessary to fund the contributions for the public employee retirement plan and

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shall include those amounts in the budget prepared under W.S. 9-2-1010 through 9-2-1014.1, including changes in amounts for school districts necessary to account for the employer's share of the actuarially determined contribution rate in accordance with this section for benefits paid ~~from the education resource block grant model defined in W.S. 21-13-101(a)(xiv) and as enumerated in Attachment A(b)(xxxviii), as defined in W.S. 21-13-101(a)(xvii)~~ in accordance with W.S. 21-13-339;

16-4-105. Accumulated retained earnings or fund surplus; capital improvements reserve.

(b) Except as specifically prohibited under W.S. 21-13-504(b) for school district boards of trustees, a municipality may appropriate funds from estimated revenue in any budget year to a reserve for capital improvements and for depreciation within any capital improvements fund, and for the purpose of purchasing or replacing specified equipment or a depreciation reserve for equipment, which has been duly established by ordinance. Money in the reserves may be allowed to accumulate from year to year until the accumulated total is sufficient to permit economical expenditure for the specified purposes. Disbursements from reserves shall be made only by transfer to a revenue account within a capital improvements fund pursuant to an appropriation for the fund. The amount appropriated to reserves under this subsection in any budget year shall not exceed ten percent (10%) of the municipality's total revenues for that budget year.

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

(g) Paragraphs (a)(xxxviii) and (xxxix) of this section are repealed ~~July 1, 2026~~ July 1, 2027.

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**21-2-204. Wyoming Accountability in Education Act;
statewide education accountability system created.**

(b) A statewide education accountability system shall be established by the state board through the department of education in accordance with this section, which implements the components of the education resource block grant model as defined by W.S. 21-13-101(a)(xiv) and as contained in ~~Attachment "A" as defined under W.S. 21-13-101(a)(xvii)~~ 21-13-309.1. The first phase of this system shall be a school-based system that is based on student performance as determined through multiple measures of school performance. The goals of the Wyoming Accountability in Education Act are to:

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

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

(xiv) Commencing with the budget prepared and adopted for school year 2027-2028 in accordance with W.S. 16-4-109 and 16-4-111, the budget shall contain a section to report staffing and expenditure variances from each component contained within the education resource block grant model as defined under W.S. 21-13-101(a)(xiv). Any variance plus or minus seven and one-half percent (7.5%) shall be reported in each budget with an explanation for each variance, by component of the education resource block grant model. The variances calculated and reported under this paragraph shall be on a dollar and position basis.

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

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(c) The charter school shall be entitled to the following amounts:

(i) Except as provided in paragraph (vi) of this subsection, one hundred percent (100%) of the foundation program amount computed under W.S. 21-13-309(m) and 21-13-309.1 based upon the average daily membership of the charter school, less amounts generated by the charter school's membership under ~~paragraph (b) (xxix) of "Attachment A" as defined in W.S. 21-13-101(a) (xvii)~~ 21-13-309.1(c) (xxiv) and (xxvii) and less amounts specified under W.S. 21-13-309(m) (v) (E) (III) through (V);

(vi) A percentage amount calculated by dividing the charter school's average daily membership by the total average daily membership of the charter school's respective school district multiplied by the amounts generated from the foundation program amount computed under W.S. 21-13-309(m) and ~~paragraph (b) (xxix) of "Attachment A" as defined in W.S. 21-13-101(a) (xvii)~~ 21-13-309.1(c) (xxiv) and (xxvii).

21-13-101. Definitions.

(a) As used in this chapter:

(xiv) "Education resource block grant model" means the block grant model for Wyoming school finance contained within the enumeration of model components summarizing and executing ~~recommendations within the 2010 2025~~ cost of education study as modified by the legislature and as ~~referenced in paragraph (xvii) of this subsection contained in W.S. 21-13-309.1~~. "Education resource block grant model" or "model" includes model spreadsheets updated

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with technical corrections, all of which are enacted into law, on file with the secretary of state and are maintained and made available for public inspection by the state superintendent under W.S. 21-2-202(e), and as may be subsequently modified by the legislature prior to future model recalibration required under W.S. 21-13-309(t);

(xvi) "Prototypical school model" means a school level, comprised of cost, resource and enrollment parameters, as described within the education resource block grant model. The separate school levels identified with the model are as follows:

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

(II) ~~Ninety-six (96)~~ One hundred ten (110) ADM;

(III) ~~One hundred ninety-two (192)~~ Two hundred twenty (220) ADM; and

(IV) ~~Two hundred eighty-eight (288)~~ Three hundred thirty (330) ADM.

(c) 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~~ contained in W.S. 21-13-309.1 and operationalized through the model spreadsheets, as each are enacted into law, and including any technical correction which may be implemented by rule ~~and regulation~~ of the state superintendent under W.S. 21-2-202(e), shall be filed with the secretary of state.

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

(e) Annually on or before ~~August 15~~September 1 the department shall notify each district subject to recapture of the estimated amount due to the state during the current fiscal year, using data from the previous school year. Upon receipt of the state assessed values by school districts, and not later than ~~March 1~~May 31 of the current fiscal year, the department shall certify to each district subject to recapture the amount of recapture for the fiscal year to be remitted to the state. The amount certified shall supersede the estimates certified on or before ~~August 15~~September 1. If a district can demonstrate financial inability to make payments to the state as provided in subsection (b) of this section, the superintendent of public instruction may adjust the schedule of payments provided by subsection (b) of this section if the financial integrity of the foundation program will not be jeopardized.

21-13-307. Eligibility to share in distribution of money from foundation account; mandatory financial reporting; prohibition of spending foundation program funds on capital construction.

(c) In no event shall any school district transfer or expend any foundation program amounts, defined under W.S. 21-13-101(a)(v), including but not limited to revenues collected under W.S. 21-13-310 and amounts paid to the school district for the purpose of funding operational expenses under this chapter, for major building and facility repair or replacement, as defined under W.S. 21-15-109(a)(iii), or for a project, as defined under W.S.

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21-15-111(a)(iv) or for any educational building, office building, portable building, teacherage or warehouse building, as defined under W.S. 21-15-109(a).

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

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

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

(A) If the district's average ADM for the ~~three (3)~~ two (2) immediately preceding school years is greater than the district's ADM from the previous school year, each reported school shall be computed based upon the average of the school's ADM counts completed at the end of the ~~three (3)~~ two (2) immediately preceding school years, otherwise each reported school within the district shall be computed based on the school's ADM for the previous school year;

(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) ~~.7~~ as

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~~contained within the spreadsheets and accompanying reports referenced under W.S. 21-13-101(a)(xvii).~~ The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

(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 established under W.S. 21-3-301 through 21-3-314. Alternative schools included within a district's configuration of schools identified under paragraph (iv) of this subsection shall for purposes of the education resource block grant model:

(IV) ~~Except as otherwise provided in subdivision (V) of this subparagraph, on and after July 1, 2014, and if not qualifying under subdivision (I) of this subparagraph,~~ Be approved as an alternative school by the state superintendent subject to the following:

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

(I) ~~Prior year statewide average district weighted~~ The actual participation participants, for each month of the prior year, of full-time equivalent (FTE) employees funded with amounts allocated from the education resource block grant model in district health insurance plans as to the proportion of categorized into employee only, split contracts, employee plus spouse, or employee plus children and family coverage. Each FTE reported under this subdivision shall be adjusted by the

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department of education to reflect eligible participation in the state group health insurance plan and proportional contribution percentages. For any FTE reported under this subdivision funded from the education resource block grant model and any other source of funds, a proportional share of the FTE shall be used for purposes of this subparagraph;

(II) Each reported employee under subdivision (I) of this subparagraph shall be multiplied by 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 employee plus~~ children and family coverage except as provided in subdivision ~~(III)~~ (IV) of this subparagraph; and

(IV) For school year 2027-2028 and each school year thereafter, the amount provided to school districts for health insurance shall be computed as follows:

(1) The amount calculated pursuant to subdivision (II) of this subparagraph, subject to subdivision (2) of this subdivision;

(2) If the actual prior school year health insurance expenditures for employees funded with amounts allocated from the education resource block grant model is less than the amount calculated under subdivision (II) of this subparagraph for that school year, the difference shall be subtracted from the amount calculated pursuant to subdivision (II) of this subparagraph.

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(G) Amounts within the education resource block grant model for maintenance and operations shall be based upon the lesser of the actual educational gross square footage of school buildings and facilities or the education space prescribed by statewide adequacy standards under W.S. 21-15-115 subject to the following:

(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. ~~Except as otherwise provided in this subdivision,~~ Education space capacity in excess of one hundred fifteen percent (115%) of the standard space level shall not be included in actual gross square footage computations under this subdivision. ~~For school year 2025-2026, education space capacity in excess of one hundred thirty-five percent (135%) of the standard space level shall not be included in actual gross square footage computations under this subdivision;~~

(vi) Except for charter schools established under W.S. 21-3-301 through 21-3-314 and alternative schools approved under subdivision (v)(B)(IV) of this subsection, any alteration of the configuration of grades within a district, school or school facility which differs from the configuration of grades during the immediately

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preceding school year as reported under paragraph (iv) of this subsection shall be considered a reconfiguration and shall be documented by the district and reported to the state superintendent and the director of the state construction department. Following review and evaluation, the state superintendent and the director of the state construction department shall, each acting independently, approve or deny the reconfiguration for purposes of application to the education resource block grant model and the determination of school facility needs and remedies. The following shall apply:

(C) ~~Effective for the school year commencing after July 1, 2012, and each school year thereafter,~~ No reconfiguration of grades within any district, school or facility shall differ from the previous school year such that more than one (1) school is included within any one (1) school facility to be reported under paragraph (iv) of this subsection for purposes of determining the foundation program amount for that district;

(o) To the extent specifically provided by the legislature, and between periods of model recalibration required under subsection (t) of this section, the amount computed for each district under subsection (m) of this section shall be adjusted to provide for the effects of inflation, excluding those amounts specified under subparagraphs (m)(v)(E) and (F) of this section, the technology and equipment component as specified in W.S. 21-13-309.1(c)(xxii), the gifted and talented students component as specified in W.S. 21-13-309.1(c)(xxiii) and the short cycle and formative assessment component contained in paragraph (b)(xxviii) of "Attachment A" as referenced as specified in W.S. ~~21-13-101(a)(xvii)~~

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21-13-309.1(c) (xxvi). The adjustment under this subsection shall not be applied until the expiration of the school year immediately following the first school year of application of the recalibrated model, and shall be adjusted on a cumulative basis each school year thereafter and until the first school year of application of a subsequent model recalibration. Following analysis of information reported under subsection (u) of this section, the joint appropriations ~~interim~~ committee shall submit a recommendation to the legislature and the governor not later than November 1 of each applicable year on an external cost adjustment for purposes of this subsection.

(u) To ensure model components specified under the education resource block grant model defined under W.S. 21-13-101(a)(xiv), as enumerated and enacted by the legislature and ~~included in "Attachment A" referenced in W.S. 21-13-101(a)(xvii)~~ as specified by W.S. 21-13-309.1, remain resourced at cost-based levels between periods of model recalibration required under subsection (t) of this section, and prior to adjustment for the effects of inflation for any school year under subsection (o) of this section, the joint education interim committee shall annually receive and review reports in accordance with this subsection and report to the joint appropriations ~~interim~~ committee as required by this subsection. The legislative service office shall assemble information necessary to develop a model monitoring process and other reports for the committee using data maintained by the department of education and other state agencies. For this purpose, the department shall annually update and compile information, in a format contained within reports provided during ~~2010~~ 2025 model recalibration, reported at the model component level, on school district allocation of model resources, as well as other information provided for purposes of

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developing and completing the ~~2010~~2025 cost of education studies. Each year excluding the first school year of application of any model recalibration performed under subsection (t) of this section, the information and analysis assembled by the legislative service office under this subsection shall be reported to the joint education interim committee in sufficient time to allow committee review of and deliberation on the report and the submission of recommendations to the joint appropriations ~~interim~~ committee by October 15 of the applicable school year. Report recommendations shall be used by the joint appropriations ~~interim~~ committee in its determination of legislative recommendation on model adjustment under subsection (o) of this section.

21-13-310. Annual computation of district revenues.

(a) To ensure revenues available to each district are uniformly sufficient to enable compliance with the uniform standards for educational programs prescribed under W.S. 21-9-101 and 21-9-102 and to secure state board accreditation of educational programs under W.S. 21-2-304(a)(ii), the revenues specified under this subsection shall be deemed state revenues and shall be considered in determining the amount to be distributed to each district under W.S. 21-13-311. A district shall make an annual computation of the following revenues:

(xv) One-half (1/2) of the amount of realized investment earnings received on school district investments;

~~(xv)~~ (xvi) All other revenues received or collected by the district during the previous school year, but excluding any amount received from private

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contributions and gifts, excluding any revenues dedicated by law to the payment of bonded indebtedness, and any revenues from the disposition of school buildings and land pursuant to W.S. 21-15-123(f)(vi), and excluding fees or other charges imposed by the district for goods or services, such as rental fees and the price paid for admission into any place for recreation, entertainment or an athletic event. Upon application of a district, the department shall exclude from this paragraph revenue received by the district if the department finds that the revenue could not be used by the district to provide educational services to students.

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

(b) The state superintendent shall determine on or before ~~August 15~~ September 1 of each year the tentative allotment of foundation funds to which each district is entitled under this article. In making this determination, the state superintendent may, if current fiscal information required by law to compute the tentative allotment is not available for any district, ~~by August 1 of that year,~~ use fiscal information available to the state superintendent from the foundation program computations of the previous school year for that district. The previous year's fiscal information shall be adjusted to reflect current fiscal changes and other information known by or available to the state superintendent. Upon receiving actual fiscal information from a district, the state superintendent shall accordingly adjust future foundation program determinations for that district such that foundation program payments appropriately reflect current fiscal information for the applicable school year.

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(c) ~~Fifteen percent (15%)~~ Ten percent (10%) of each district's entitlement shall be paid to the district on or before ~~August 15~~ July 15 of each year and subject to any adjustment under subsections (d) and (e) of this section, ~~ten percent (10%)~~ nine percent (9%) of each district's entitlement shall be paid on or about the fifteenth day of each month through April of each year. The final payment for the balance of each district's entitlement shall be distributed on or before May 15 of each year. If, ~~after March 1 and before April 1,~~ the state superintendent determines that the entitlement to be paid to a district for that school year is not accurate, the state superintendent shall adjust payments to or payments from that district as necessary to correct the inaccuracy as soon as practicable. Except as provided under W.S. 21-2-202(e) and 21-13-307(b), after ~~March 31~~ June 30 of any school year, the state superintendent shall not adjust any district's entitlement or fiscal information used to compute a district's entitlement for that school year, and the entitlement or fiscal information shall only be adjusted thereafter in accordance with audit review pursuant to W.S. 9-1-513.

(e) Not later than January 31 of each fiscal year, and except where a different percentage is otherwise specified in this subsection, the department shall compute the amount by which each district's operating balance and cash reserves at the end of the preceding fiscal year exceed ~~fifteen percent (15%)~~ twenty percent (20%) of the total foundation program amount computed under W.S. 21-13-309, 21-13-309.1, 21-13-321 and 21-13-339 for the preceding fiscal year. ~~In making this calculation, the entire operating balance and cash reserves for each district for the fiscal year ending June 30, 1997, as~~

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~~computed by the department, shall be separately accounted for and excluded, until it has been completely expended by the district.~~ Revenues from settlements of protested amounts attributable to levies assessed under W.S. 21-13-102(a)(i)(A) and (ii)(A) and 21-13-201, regardless of the assessment year, shall be accounted for and excluded from the calculation under this subsection for a period of not more than one (1) year following that fiscal year in which the revenue was received by a district, as verified in writing by the district and certified by the county treasurer. Except ~~as otherwise provided in 1997 Special Session Laws, chapter 3, section 306(e), as amended, and except~~ as excluded under this subsection, that excess shall be deemed to be a state revenue under W.S. 21-13-310(a) for the purpose of determining distributions under W.S. 21-13-311 and amounts to be rebated under W.S. 21-13-102. The department shall promulgate rules, including reporting requirements and procedures for districts, to implement this subsection. As used in this section, "operating balance and cash reserves" means those financial resources of the district which are not encumbered by the district board of trustees for expenditure to meet an existing legal obligation or otherwise restricted by law or regulation for expenditure on specific educational programs. For purposes of this subsection, any balance within a district's separate account established under W.S. 21-15-109(e) for major building and facility repair and replacement shall be deemed restricted by law for expenditure as provided by W.S. 21-15-109(e) and shall not be considered an operating balance and cash reserve under this section. For the fiscal year ending June 30, 2022 through the fiscal year ending June 30, 2028, the department shall compute the amount by which each district's operating balance and cash reserves at the end of the preceding fiscal year exceed thirty percent (30%) of the total foundation program amount

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computed under W.S. 21-13-309, 21-13-309.1, 21-13-321 and 21-13-339 for the preceding fiscal year. ~~During this period, the amount of a district's operating balance and cash reserves that may be increased from fifteen percent (15%) to thirty percent (30%) of the total foundation program amount computed under W.S. 21-13-309 for the preceding fiscal year shall be accounted for and reported separately and shall not be transferred or expended for purposes of capital construction. For purposes of this subsection, "capital construction" does not include major building and facility repair and replacement as defined under W.S. 21-15-109(a)(iii).~~

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

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foundation program account not later than ~~December 15~~ June 15 of that school year.

21-13-320. Student transportation; amount within school foundation program formula for transportation maintenance and operations expenditures and school bus purchases; school year 2026-2027 reimbursement; repeal of subsection (o) of this section effective July 1, 2027; district reporting requirements.

(b) There shall be an amount computed for each school district equal to ~~the base price amount for bus purchase and lease payment expenditures made by the district during the previous school year pursuant to subsection (g) of this section and for~~ the amount actually expended by the district during the previous school year for:

(f) The department of education shall adopt necessary rules ~~and regulations~~ to implement and enforce state standards established under this section and to administer this section. District expenditures computed under subsection (b) of this section shall not include expenditures for ~~employee~~ contributions to the Wyoming retirement system exceeding the amount specified in W.S. ~~9-3-413.1(b)(iii)~~ 21-13-339 of any member employee's salary. In addition, the department shall, in accordance with procedures prescribed by department rule, ~~and regulation,~~ establish a base price for each school bus type or other student transportation vehicle type for the applicable fiscal period that complies with minimum state standards for vehicle specifications and equipment. The department shall also establish a process including competitive bidding which guarantees the acquisition of school buses and other student transportation vehicles approved for reimbursement and complying with state minimum

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standards and district fleet size restrictions at the established base price for the applicable fiscal year. Department rules shall establish appropriate restrictions on how and under which conditions a school district may procure a school bus or other student transportation vehicle, ~~either through purchase or lease,~~ to ensure that the procurement method used is the most cost effective. School districts shall notify the department of school bus and other student transportation vehicle needs and requirements for the appropriate fiscal year in the manner and within the times prescribed by department rule, ~~and regulation,~~ and shall report expenditures, ~~and purchases and lease arrangements~~ for the applicable reporting period, including vehicles replaced by purchases, ~~and leases,~~ as required by department rule. ~~and regulation.~~ The department shall annually review and conduct audits as necessary of information submitted under this section. As authorized under W.S. 21-13-307(b), the department may correct the information reported by districts under this section as necessary to fairly and accurately reflect the data type, classification and format required to administer this section in accordance with law and department rules. ~~and regulations.~~

(g) In addition to amounts provided pursuant to subsection (b) of this section, ~~and for purchases and leases conducted~~ in a manner consistent with department rules, the ~~transportation adjustment for each district under this section shall include an~~ department shall reimburse each school district for the amount ~~computed under this subsection expended~~ for the purchase ~~or lease~~ of school buses and other vehicles used primarily for the transportation of students to and from school and to and from school activities. Computations of Amounts provided under this subsection shall be in addition to and shall not

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be considered in determining the school foundation program amount under the education resource block grant model pursuant to W.S. 21-13-309. Amounts reimbursed under this subsection shall be based upon the base price established by the department under subsection (f) of this section for the student transportation vehicle type. ~~Amounts included within the adjustment under this subsection~~ and shall be subject to the following:

(v) ~~The adjustment~~ Reimbursement for the purchase ~~or lease~~ of buses and other student transportation vehicles authorized under this subsection shall be paid by the department not later than three (3) months after the month in which the school district expends the funds for the purchase and shall be in an amount equal to:

(A) ~~One-fifth (1/5) of~~ The base price established under subsection (f) of this section for each ~~purchased~~ school bus or other ~~purchased~~ student transportation vehicle ~~for which reimbursement is authorized and which is made~~ purchased by the district; ~~during the preceding five (5) years;~~

(vi) ~~Amounts included within the adjustment for~~ School bus purchases ~~or leases~~ that are fully or partially paid for or rebated under the Diesel Emissions Reduction Act, 42 U.S.C. § 16131 et seq., or other similar program, shall be made in accordance with department rule and regulation.

(m) No district shall purchase ~~or lease~~ a school bus unless it first demonstrates to the department and the department determines that the school district has in good faith attempted to purchase ~~or lease~~ a bus that will be fully or partially paid for or rebated under the Diesel

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Emissions Reduction Act, 42 U.S.C. § 16131 et seq., or other similar program.

(o) For school year 2026-2027 only, the department of education shall reimburse each school district for any remaining balance for buses or other student transportation vehicles purchased in accordance with this section prior to July 1, 2026. This subsection is repealed July 1, 2027.

21-13-321. Special education; amount provided for special education programs and services; reimbursement for out-of-district placements; district reporting requirements; billing for Medicaid authorized school based services.

(b) Except for expenditures for out-of-district special education placements, the amount provided to a school district for special education shall be equal to one hundred percent (100%) of the amount actually expended by the district during the previous school year for special education programs and services, which shall include the amount actually expended by the district during the previous school year for reasonable administrative costs to bill for authorized Medicaid services under subsection (h) of this section. Amounts ~~awarded~~provided under this section shall be in addition to and shall not be considered in determining the school foundation program amount under the education resource block grant model pursuant to W.S. 21-13-309. Except for expenditures for out-of-district special education placements, the department of education shall distribute the amount computed under this section to each school district in the same proportion and schedule of distributions under W.S. 21-13-313(c). Expenditures by a district for out-of-district special education placements shall be reimbursed in the year in which the costs are

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incurred and shall be distributed to each school district on a quarterly basis in accordance with rules adopted by the department of education.

(d) The department of education shall adopt necessary rules ~~and regulations~~ to implement and administer this section. Districts shall report special education program expenditures for the applicable reporting period as required by department rule and regulation. District expenditures computed under subsection (b) of this section shall not include expenditures for ~~employee~~ contributions to the Wyoming retirement system ~~exceeding the amount~~ specified in W.S. ~~9-3-413.1(b)(iii)~~ 21-13-339 of any member employee's salary. The department shall annually review and report to the joint education interim committee regarding services provided to special education students by school districts. In addition, the department shall when necessary, conduct audits of information submitted by districts under this section and may, in accordance with W.S. 21-13-307(b), correct the information reported by districts as necessary to fairly and accurately reflect the data type, classification and format required to administer this section in accordance with law and department rule and regulation.

21-13-338. Career and technical education supplies, materials, equipment and repair of equipment; criteria; limitations.

(a) ~~Commencing with school year 2025-2026,~~ To augment amounts within the education resource block grant model available to districts for career and technical education programs, the department of education shall distribute career and technical education supplies, materials, ,

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equipment and repair of equipment funding in accordance with this section.

(c) Amounts distributed to each school district for career and technical education supplies, materials, equipment and repair of equipment funding under this section shall be calculated as follows:

(i) Except as provided in paragraph (ii) of this subsection, the product of each school's FTE career and technical education teachers reported under subsection (b) of this section multiplied by ~~fourteen thousand one hundred eighty-four dollars and sixty-eight cents (\$14,184.68)~~ fourteen thousand three hundred thirty-six dollars (\$14,336.00);

(ii) If a school's FTE career and technical education teachers reported in subsection (b) of this section is less than two (2), the amount of funding for the school's career and technical education supplies, materials, equipment and repair of equipment funding shall be equal to ~~twenty-eight thousand three hundred sixty-nine dollars and thirty-six cents (\$28,369.36)~~ twenty-eight thousand six hundred seventy-two dollars (\$28,672.00);

(iii) The department shall further adjust the amounts for career and technical education supplies, materials, equipment and repair of equipment funding in paragraphs (i) and (ii) of this subsection by any external cost adjustment enacted by the legislature for the educational materials category of the educational resource block grant model.

(e) Each district shall report to the department on the expenditure of amounts distributed under this section

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and shall provide other information as required by rule of the department. Amounts distributed under this section shall only be expended on supplies, materials, equipment and repair of equipment for career and technical education programs.

21-13-504. Special reserve fund.

(a) Except as prohibited under subsection (b) of this section, the board of trustees of each Wyoming school district may create a special reserve fund of a specified amount, for the purpose of purchasing or replacing specified equipment or a depreciation reserve for equipment and school building repair. The board may annually include in its budget for the ensuing fiscal year, the amount so designated, as a special fund, expendable only for the purposes stated and segregated as such, from general and other special school funds, disbursements therefrom to be made from time to time by the school clerk's warrants drawn against said special fund, as duly ordered by said board; provided, that said amount so specially budgeted for any fiscal year shall not exceed ten percent (10%) of the total amount budgeted for the same year; and further provided, that any difference in the amount so specially budgeted for any such year and the amount expended from said fund during such year, may be retained in and carried over as a part of the special reserve fund.

(b) In no event shall any funds generated by the school foundation program, defined by W.S. 21-13-101(a)(v), that are transferred to a special reserve fund be expended by the board of trustees of a school district for major building and facility repair or replacement, as defined under W.S. 21-15-109(a)(iii), for a project, as defined under W.S. 21-15-111(a)(iv) or for any educational

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building, office building, portable building, teacherage or warehouse building, as defined under W.S. 21-15-109(a).

Section 3. W.S. 21-13-101(a) (xvi) (A) (I), (B) (I), (C) (I) and (xvii), 21-13-309(m) (v) (B) (I), (V), (C), (F) (III) and (G) (III), 21-13-320(g) (v) (B) and (h) (i) are repealed.

Section 4. 2011 Wyoming Session Laws, Chapter 185, ATTACHMENT "A", 2012 Wyoming Session Laws, Chapter 99, Section 3, 2017 Wyoming Session Laws, Chapter 205, Sections 3 and 4, 2018 Wyoming Session Laws, Chapter 185, Sections 2 and 3 and 2025 Wyoming Session Laws, Chapter 108, Section 3 are repealed.

Section 5.

(a) The select committee on school finance recalibration as created by 2025 Wyoming Session Laws, Chapter 140 is hereby continued. As specified in subsection (b) of this section, the select committee shall continue the recalibration study of the education resource block grant model as required by W.S. 21-13-309(t) to ensure the model remains cost-based. The study shall include any potential responses to judicial directives. The legislative service office shall staff the select committee.

(b) At a minimum, the select committee on school finance recalibration shall study the following areas in the context of K-12 public education:

(i) Mental health supports, including core counselors, nurses and at-risk pupil support resources. The study shall include consideration of data collected from school years 2024-2025 and 2025-2026 for amounts

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distributed pursuant to 2024 Wyoming Session Laws, Chapter 118, Section 331 to schools for mental health services;

(ii) School safety and security personnel, including employment of school resource officers;

(iii) School nutrition programs, including the school lunch programs;

(iv) Technology, including the necessity of one (1) computer for each student for all K-12 public students and district and school-level technology infrastructure and cyber security.

(c) The select committee on school finance recalibration shall report its recommendations and any associated legislation to the legislature. The select committee may sponsor and introduce legislation as provided in W.S. 28-8-104(e).

(d) The select committee on school finance recalibration shall remain in existence until December 31, 2026. Composition of the select committee and appointment of members shall be as contained in 2025 Wyoming Session Laws, Chapter 140, Section 1(a) and (b). Any vacancy occurring on the select committee shall be filled without delay by the president of the senate or the speaker of the house of representatives, as appropriate.

(e) The department of education, other state agencies, school districts and the school data advisory committee established under W.S. 21-2-203(d) shall collect and provide information requested by the select committee or professional consultant experts working with the select committee.

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Section 6.

(a) Notwithstanding any other law, for school years 2026-2027 through 2028-2029, each school district shall establish a teacher salary schedule, including pay tables, experience steps and educational lanes, that ensures that teacher salaries paid by the school district are equal to the greater of:

(i) The average teacher salary for each school district as calculated pursuant to W.S. 21-13-309.1; or

(ii) Up to one hundred ten percent (110%) of the average teacher salary paid by the district for the preceding school year.

Section 7. Two hundred seventy-five million sixty-five thousand nine hundred fifty-five dollars (\$275,065,955.00) is appropriated from the public school foundation program account to the department of education-school finance for purposes of making payments to school districts in accordance with this act and to supplement amounts otherwise appropriated by the 2026 legislature in 2026 Senate File 0001 for the school foundation program. It is the intent of the legislature that twenty million five hundred sixty-five thousand nine hundred fifty-five dollars (\$20,565,955.00) not be included in the department of education-school finance's standard budget for the immediately succeeding fiscal biennium.

ORIGINAL SENATE
FILE NO. SF0081

ENGROSSED

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Section 8.

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2026.

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk