



HB0173

School finance funding-2.

Sponsored By: House Education Committee

AN ACT relating to school finance; implementing modifications to the Wyoming education resource block grant model; codifying previously uncodified law; amending the computation of average daily membership; increasing the amount that can be computed for a school district's operating balance and cash reserves as specified; prohibiting expenditures on capital construction during a specified period; amending provisions governing the distribution of investment earnings; amending provisions governing the distribution of severance taxes; implementing a sales and use tax for school finance; providing for distribution of the taxes; amending related provisions; repealing conflicting provisions; providing applicability; providing for a study on the reorganization of school districts; requiring a report; and providing for effective dates.

3/1/2021 Bill Number Assigned
3/2/2021 H Received for Introduction
3/2/2021 H Introduced and Referred to H04 - Education
3/8/2021 H04 - Education:Recommend Amend and Do Pass 5-4-0-0-0

ROLL CALL

Ayes: Representative(s) Brown, Harshman, Newsome, Paxton, Sommers
Nays: Representative(s) Andrew, Connolly, Neiman, Obermueller
Ayes 5 **Nays** 4 **Excused** 0 **Absent** 0 **Conflicts** 0

3/8/2021 H Placed on General File

HB0173HS001/ADOPTED

That Substitute No. 1 for HB0173 DO PASS. PAXTON, CHAIRMAN

HB0173HW001/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 61-line 4 After "amount" insert "into the one percent severance tax account until June 30, 2022 and thereafter".
SOMMERS

HB0173HW002/WITHDRAWN

3/11/2021 H COW:Passed
3/12/2021 H 2nd Reading:Laid Back

HB0173H2001/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 47-after line 2 Insert:

"(d) Funding provided under subsection (c) of this section shall be limited as provided in this subsection. Funding for student activities under paragraph (c)(xxvi) of this section and funding for central office staff, central office nonpersonnel resources and maintenance and operations under paragraphs (c)(xxviii) through (xxx) shall be calculated as components of the Wyoming education resource block grant model but shall be provided as two (2) categorical grants, one (1) for student activities and one (1) for central office resources. Expenditures in each district for each categorical grant shall not exceed the amount calculated for each district for that category under

subsection (c) of this section. An amount equal to any expenditure in excess of the amount calculated under this subsection for each category shall be deducted from the foundation program amount calculated for the district in the immediately following fiscal year.". CLAUSEN, HALLINAN

HB0173H2002/FAILED

[TO SUBSTITUTE No. 1]

Page 1-line 4 After "membership;" insert "reducing the minimum time schools are to be operated;".

Page 41-lines 12 through 23 Delete entirely.

Page 42-lines 1 through 5 Delete entirely and insert:

"(D) Teacher salaries under this subparagraph shall be provided for core teachers, specialist teachers, English language learner teachers, tutors, summer school teachers, extended day teachers, counselors, nurses, pupil support positions and librarians. Teacher salaries shall be equal to forty thousand seven hundred seventy-six dollars and thirteen cents (\$40,776.13), plus six thousand seven hundred ninety dollars and eighteen cents (\$6,790.18) multiplied by the average number of teacher positions that have a master's degree, plus fourteen thousand eight hundred fourteen dollars and ninety-five cents (\$14,814.95) multiplied by the average number of teacher positions that have a doctoral degree, plus nine hundred twenty-nine dollars and seventy-four cents (\$929.74) multiplied by the average years of teaching experience up to twenty (20) years, plus two hundred forty-one dollars and thirty-two cents (\$241.32) multiplied by the average years of teaching experience over twenty (20) years;".

Page 47-line 5 After "(c)," insert "21-13-307(a)(ii)(intro),".

Page 51-after line 12 Insert:

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

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

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

HB0173H2003/ADOPTED

(CORRECTED COPY)

[TO SUBSTITUTE BILL No. 1]

Page 1-line 7 Delete "amending".

Page 1-line 8 Delete entirely.

Page 47-line 4 Delete "9-4-719(q)(i),".

Page 47-lines 14 through 22 Delete entirely.

Page 48-lines 1 through 10 Delete entirely. LARSEN

HB0173H2004/WITHDRAWN

HB0173H2005/ADOPTED (CORRECTED COPY)
[TO SUBSTITUTE BILL No. 1]

Page 17-lines 2 through 10 Delete entirely and renumber as necessary.

Page 41-line 15 Delete "nurses,".

Page 42-lines 1 through 5 In the Hallinan second reading amendment (HB0173H2002/A) to these lines, in subparagraph (D) inserted by that amendment, delete "nurses,". SIMPSON

HB0173H2006.01/ADOPTED [DIVIDED AMENDMENT]
(CORRECTED COPY)

[TO SUBSTITUTE BILL No. 1]

Delete the Hallinan second reading amendment (HB0173H2002/A) entirely and further amend as follows:

Page 10-line 13 Delete "forty-five hundredths (0.45)" and insert "thirty-four hundredths (0.34)".

Page 10-line 20 Delete "forty-five hundredths (0.45)" and insert "thirty-four hundredths (0.34)".

Page 11-line 5 Delete "forty-five hundredths (0.45)" and insert "thirty-four hundredths (0.34)".

Page 11-lines 8 through 23 Delete entirely.

Page 12-lines 1 through 15 Delete entirely and insert:

"(ix) Tutors. Calculated as the school's at-risk students computed under W.S. 21-13-309(m)(v)(A) divided by one hundred eighty-five (185) for schools with more than forty-nine (49) ADM and schools not designated as alternative schools;".

Page 41-lines 12 through 23 Delete entirely.

Page 42-lines 1 through 5 Delete entirely and insert:

"(D) Teacher salaries under this subparagraph shall be provided for core teachers, specialist teachers, English language learner teachers, tutors, extended day teachers, counselors, pupil support positions, and librarians. Teacher salaries shall be equal to forty-one thousand two hundred twenty-nine dollars and twenty cents (\$41,229.20), plus six thousand eight hundred sixty-five dollars and sixty-three cents (\$6,865.63) multiplied

by the average number of teacher positions that have a master's degree, plus fourteen thousand nine hundred seventy-nine dollars and fifty-six cents (\$14,979.56) multiplied by the average number of teacher positions that have a doctoral degree, plus nine hundred forty dollars and seven cents (\$940.07) multiplied by the average years of teaching experience up to twenty (20) years, plus two hundred forty-four dollars and one cent (\$244.01) multiplied by the average years of teaching experience over twenty (20) years;".

Page 47-line 5 After "(c)," insert "21-13-307(a)(ii)(intro)".

Page 51-after line 12 Insert:

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

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

(ii) Operated all schools for a term of at least ~~one hundred eighty-five (185)~~ one hundred eighty-two (182) days or the number of days or equivalent hours authorized under an alternative schedule approved by the state board during the previous school year. If the school term of any school in a district was less than ~~one hundred eighty-five (185)~~ one hundred eighty-two (182) days or less than the total number of days authorized under an alternative schedule approved by the state board, the amount allotted per average daily membership (ADM) under W.S. 21-13-309 for the school shall be in proportion to the length of the term the school actually operated, unless caused by closures of schools:". SIMPSON

HB0173H2006.02/FAILED

[DIVIDED AMENDMENT]
(CORRECTED COPY)

[TO SUBSTITUTE BILL No. 1]

Page 12-line 17 Delete "and summer school".

Page 12-line 21 Delete "six-tenths (0.6)" and insert "three-tenths (0.3)".

Page 45-line 21 After "by the" delete balance of line.

Page 59-line 20 After "2021" delete balance of line.

Page 59-line 21 Delete line through "2025,".

Page 59-line 23 Delete "twenty-five".

Page 60-line 1 Delete "percent (25%)" and insert "twenty percent (20%)".

Page 60-line 2 Delete "During".

Page 60-lines 3 through 12 Delete entirely.

Page 64-lines 11 through 22 Delete entirely and renumber as necessary.

Page 65-lines 1 through 9 Delete entirely. SIMPSON

HB0173H2007/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 1-line 10 After "finance;" insert "eliminating a sales and use tax exemption;".

Page 47-line 9 After "(j)," insert "39-15-105(b)(intro),"; after "39-15-111(b)(intro)" insert ", (i)"; delete "a".

Page 47-line 10 Delete "subsection (r)" and insert "subsections (r) and (s)"; after "subsection (g)" insert ", 39-16-105(b)(intro)".

Page 47-line 11 Delete entirely and insert "and 39-16-111(b)(intro), (i) and by creating new subsections (p) and (q)".

Page 62-after line 2 Insert:

"39-15-105. Exemptions.

(b) The Wyoming business council, the department of workforce services and the department of revenue shall jointly report to the joint revenue interim committee on or before December 1 of each year that the exemption provided by subparagraph (a)(viii)(O), (Q), (R), ~~(S)~~ or (U) of this section is in effect. If requested by the department of revenue, any person utilizing the exemption under subparagraph (a)(viii)(O) of this section shall report to the department the amount of sales tax exempted, and the number of jobs created or impacted by the utilization of the exemption. The report shall evaluate the cumulative effects of each exemption that is in effect from initiation of the exemption and shall include:".

Page 62-after line 11 Insert:

"(i) Credit sixty-nine percent (69%) to the state general fund for deposit by the state treasurer except as provided by subsections (c), ~~and~~ (d) and (s) of this section and less any credit allowed pursuant to W.S. 39-15-107(b)(xi);"

Page 62-after line 15 Insert:

"(s) An amount of revenue equal to the state's portion of tax attributable to purchases by data processing services centers of qualifying computer equipment shall be deposited in the school foundation program account."

Page 63-after line 8 Insert:

"39-16-105. Exemptions.

(b) The Wyoming business council and the department of revenue shall jointly report to the joint revenue interim committee on or before December 1 of each year that the exemption provided by subparagraph (a)(viii)(D), (F), (G), ~~(H)~~ or (K) of this section is in effect. If requested by the department of revenue, any person utilizing the exemption under subparagraph (a)(viii)(D) of this section shall report to the department the amount of use tax exempted, and the number of jobs created or impacted by the utilization of the

exemption. The report shall evaluate the cumulative effects of each exemption that is in effect from initiation of the exemption and shall include:".

Page 63-after line 18 Insert:

"(i) Credit sixty-nine percent (69%) for deposit by the state treasurer to the general fund except as provided by subsections (d), ~~and~~ (e) and (q) of this section and less any credit allowed pursuant to W.S. 39-16-107(b)(viii);"

Page 63-after line 22 Insert:

"(q) An amount of revenue equal to the state's portion of tax attributable to purchases by data processing services centers of qualifying computer equipment shall be deposited in the school foundation program account.".

Page 64-line 1 After "21-13-309(m)(v)(C)" insert ",,".

Page 64-line 2 Delete "and"; after "through (iv)" insert ", 39-15-105(a)(viii)(S) and 39-16-105(a)(viii)(H)". STITH

HB0173H2008/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 20-line 16 After "alternative school" insert ", provided that no assistant principal shall be provided to a school with fewer than thirteen (13) ADM". STITH

HB0173H2009/WITHDRAWN

HB0173H2010/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 1-line 13 After "applicability;" insert "requiring a report;".

Page 65-after line 9 Insert and renumber as necessary:

"Section 6. The state superintendent shall prepare and provide a report to the legislature on involuntary layoffs imposed by school districts. The report shall include information about each school district employee involuntarily laid off by the school district for the period beginning April 1, 2021 and ending August 15, 2021. The report shall detail each laid off employee's school district, title, job description, salary and length of employment. The report shall be submitted to the legislature no later than August 31, 2021.".
MACGUIRE

HB0173H2011/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 62-line 2 After "~~(\$650,000,000.00).~~" insert "Once implemented, the tax under this subsection shall continue to be implemented until three (3) months after the state treasurer certifies to the department of revenue that the balance in the legislative stabilization reserve account is equal to or exceeds one billion two hundred million dollars (\$1,200,000,000.00), at which point the tax shall not be implemented until the condition in the preceding sentence is met.".

Page 63-line 8 After "(\$650,000,000.00)." insert "Once implemented, the tax under this subsection shall continue to be implemented until three (3) months after the state treasurer certifies to the department of revenue that the balance in the legislative stabilization reserve account is equal to or exceeds one billion two hundred million dollars (\$1,200,000,000.00), at which point the tax shall not be implemented until the condition in the preceding sentence is met.". HARSHMAN

HB0173H2012/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 46-line 15 Delete "(C)" and insert "(xxxvi) Health insurance."
Page 46-line 16 After "21-13-309(m)(v)(F)" insert "." and delete balance of line.
Page 46-line 17 Delete entirely.
Page 46-line 19 Delete "(xxxvi)" and insert "(xxxvii)". SOMMERS

3/17/2021 H 2nd Reading:Passed
3/18/2021 H 3rd Reading:Laid Back
3/19/2021 H 3rd Reading:Laid Back
3/22/2021 H 3rd Reading:Laid Back

HB0173H3001/WITHDRAWN

HB0173H3002/FAILED

**(CORRECTED COPY)
[TO SUBSTITUTE BILL No. 1]**

Page 1-line 6 After "specified;" insert "amending the K-3 reading assessment and intervention program and establishing a related teacher stipend; requiring rulemaking; providing an appropriation;".
Page 47-line 4 After "21-2-204(b)(intro)," insert "21-3-401(a) and by creating new subsections (e) and (f),".
Page 49-after line 2 Insert:

"21-3-401. Reading assessment and intervention; stipends.

(a) Each school district shall select and implement a reading assessment and intervention program that uses an instrument that screens for signs of dyslexia and other reading difficulties as early as possible in kindergarten through grade three (3) and that implements with fidelity an evidence based intervention program. The program shall include instruments that monitor and measure reading progress and assess student reading skills and progress to provide data that informs any intervention. The assessment and intervention program shall be administered to all students in kindergarten through grade three (3). The assessments in the program shall be assessments approved by the department of education in accordance with subsection (e) of this section. The program shall also include implementation of evidence based core curricula aligned to the uniform content and performance standards and evidenced based

interventions to meet the needs of all students. The program shall be multi-tiered and shall include evidence based interventions to facilitate remediation of any reading difficulty as early as possible.

(e) The department of education shall approve three (3) appropriate assessment options that school districts may use to implement the assessment portion of the assessment and intervention programs required by this section.

(f) Subject to the availability of funds, the department shall by rule establish a stipend program to provide annual stipends of one thousand five hundred dollars (\$1,500.00) to public school teachers who have received a certification or supplemental training in educating kindergarten through grade three (3) students in reading. The department shall determine which certifications and trainings qualify under this subsection, but no teacher who receives a stipend under W.S. 21-7-501(f) shall be eligible to receive a stipend under this subsection. The department shall only include certifications and trainings that have been shown to improve teacher performance in delivering reading education to kindergarten through grade three (3) students. Stipends shall be made through each school district and the department shall reimburse each school district for lawfully paid stipends. In the event legislative appropriations are insufficient to provide stipends to all teachers who qualify, stipends shall be provided on a pro rata basis. The department shall establish an appropriate annual deadline for teachers to apply for the stipend."

Page 65-after line 9 Insert and renumber as necessary:

"**Section 6.** There is appropriated five hundred thousand dollars (\$500,000.00) from the school foundation program account to the department of education for purposes of paying teacher stipends as provided by W.S. 21-3-401(f), as created by this act. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2022. 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, 2022.". BROWN

HB0173H3003/WITHDRAWN

HB0173H3004/FAILED

[TO SUBSTITUTE BILL No. 1]

Page 47-line 6 After "(o)" delete "and" and insert ","; after "(u)" insert "and by creating new subsection (w)".

Page 57-after line 22 Insert:

"(w) If any district has received funds from the federal American Rescue Plan Act, P.L. No. 117-2, or subsequent similar federal enactment that may be expended by the district to supplant funding received in accordance with the education resource block grant model, the school district shall remit to the department of education a portion of the district's foundation program amount calculated pursuant to subsection (p) of this section equal to seventy-five percent (75%) of the funds received under the American Rescue Plan Act or other similar subsequent federal enactment for each fiscal year in which American Rescue Plan Act or other similar subsequent federal enactment funds were received by the district, provided the reduction of funds under this subsection is not contrary to the terms of the American Rescue Plan Act or subsequent similar federal enactment. The department shall deposit amounts remitted by

school districts under this subsection within the school foundation program account.". ANDREW

HB0173H3005/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 1-line 11 After "taxes;" insert "providing for reorganization of school districts for the recalibration of the education resource block grant model;".

Page 64-after line 9 Insert and renumber as necessary:

"Section 5.

(a) Not later than September 30, 2021, the state board of education shall submit a plan to the joint education interim committee for the reorganization of Wyoming school districts to provide that no school district shall have less than five hundred (500) enrolled students and that there shall be no more than two (2) districts per county, except that there may be two (2) independent districts for the Wind River Indian Reservation. The plan shall include recommendations on the location of schools, the utilization of existing buildings, allocation of existing indebtedness, the employment of existing personnel including consideration of continuing contract teachers under the Wyoming Teacher Employment Law and consideration of impacts to student transportation. The plan shall provide for its implementation on July 1, 2022. The plan shall specify any modifications to state statute necessary to implement the plan and may recommend that no action be taken prior to or without appropriate statutory modifications.

(b) The state board of education shall make an order establishing the reorganized school districts according to the plan of organization, effective July 1, 2022, provided that the effective date may be delayed pending any necessary statutory modifications as provided in subsection (a) of this section. The order under this subsection shall be the final administrative determination and shall be filed with the county clerk of each county prior to July 1, 2022. The final administrative action of the state board shall be appealable from the date of filing with the county clerk."

Page 64-line 11 Delete "**Section 5.**" and insert "**Section 6.**".

Page 65-line 11 Delete "**Section 6.**" and insert "**Section 7.**".
ZWONITZER, STITH

HB0173H3006/WITHDRAWN

HB0173H3007/WITHDRAWN

HB0173H3008/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 65-after line 9 Delete the MacGuire second reading amendment (HB0173H2010/A) to this line and insert and renumber as necessary:

"Section 6. The state superintendent shall prepare and provide a report to the legislature on involuntary layoffs and positions eliminated by school districts. The report shall include information about each school district

employee involuntarily laid off and each position eliminated by each school district for the period beginning January 1, 2021 and ending September 30, 2021. The report shall detail each employee's school district, title, job description, salary and length of employment. The report shall be submitted to the legislature no later than October 15, 2021.". MACGUIRE

HB0173H3009/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Delete the Clausen et al. second reading amendment (HB0173H2001/A) entirely.
EKLUND

HB0173H3010/WITHDRAWN

HB0173H3012/WITHDRAWN

HB0173H3013/WITHDRAWN

HB0173H3015/WITHDRAWN

HB0173H3016/WITHDRAWN

HB0173H3017/WITHDRAWN

HB0173H3018/WITHDRAWN

HB0173H3011/WITHDRAWN

HB0173H3019/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Delete the Clausen, et al. second reading amendment (HB0173H2001/A), the first Larsen second reading amendment (HB0173H2003/AC), the second Simpson second reading amendment (HB0173H2006.01/AC), the first Stith second reading amendment (HB0173H2007/A), the Sommers third reading amendment (HB0173H3001/A), the Andrew third reading amendment (HB0173H3004/A), the second Stith third reading amendment (HB0173H3007/A), the Simpson third reading amendment (HB0173H3010/A), the Yin third reading amendment (HB0173H3011/ACC), the third Stith third reading amendment (HB0173H3013/A), the Connolly third reading amendment (HB0173H3016/A), the fourth Stith third reading amendment (HB0173H3017/A) and the Gray, et al. third reading amendment (HB0173H3018/A) entirely and further amend as follows:

Page 1-line 13 Delete "an"; delete "date" and insert "dates".

Pages 2 through 46 Delete entirely, including all previously adopted amendments to those pages.

Page 47-lines 1 and 2 Delete entirely and insert:

"Section 1. W.S. 21-13-309.1 is 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 2020 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) "Block grant model components" includes the following categories:

(A) The educational materials category of model components which includes the following:

(I) The books and instructional materials component resourced under paragraph (c)(xxi) of this section;

(II) The gifted and talented students component resourced under paragraph (c)(xxiii) of this section;

(III) The career and technical education equipment and materials component resourced under paragraph (c)(xxiv) of this section;

(IV) The student activities component resourced under paragraph (c)(xxv) of this section;

(V) The professional development component resourced under paragraph (c)(xxvi) of this section;

(VI) The central office nonpersonnel resources component resourced under paragraph (c)(xxviii) of this section;

(VII) The operations and maintenance supplies component resourced under paragraph (c)(xxx) of this section.

(B) The energy category of model components which includes the utilities component resourced under paragraph (c)(xxxii) of this section;

(C) The nonprofessional labor category of model components which includes supervisory aides, central office classified staff, school secretaries, school clerical staff, maintenance workers, groundskeepers and custodians resourced under paragraph (c)(xxxiii) of this section;

(D) The professional labor category of model components which includes teachers, principals, assistant principals, superintendents, assistant superintendents, business managers and school computer technicians resourced under paragraph (c)(xxxiii) of this section.

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

(iii) "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 (K-6) or any combination of those grades;

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

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

(c) The Wyoming education resource block grant model components and the resourcing for those components shall be as follows:

(i) Full day kindergarten. Funded for all elementary schools;

(ii) Core teachers for schools with ADM greater than forty-nine (49) and schools not designated as alternative schools:

(A) Elementary school. Calculated as ADM divided by sixteen (16);

(B) Middle school. Calculated as ADM divided by twenty-one (21);

(C) High school. Calculated as ADM divided by twenty-one (21).

(iii) Specialist teachers for schools with more than forty-nine (49) ADM and schools not designated as alternative schools:

(A) Elementary school specialist teachers shall be calculated as twenty percent (20%) of the core teachers in subparagraph (ii)(A) of this subsection;

(B) Middle school specialist teachers shall be calculated as thirty-three percent (33%) of the core teachers in subparagraph (ii)(B) of this subsection;

(C) High school specialist teachers shall be calculated as thirty-three percent (33%) of the core teachers in subparagraph (ii)(C) of this subsection.

(iv) Additional vocational education teachers. For schools with more than forty-nine (49) ADM and schools not designated as alternative schools, calculated as the product of each high school's FTE vocational education students reported under W.S. 21-13-309(m)(v)(D)(I) multiplied by twenty-nine hundredths (0.29) then divided by the high school class size of twenty-one (21);

(v) Small school and alternative school core staff. For schools with forty-nine (49) or less ADM or alternative schools, provide one (1) teacher position for every seven (7) ADM, calculated as total school ADM divided by seven (7). Each school shall receive a minimum of one (1) teacher by increasing the sum of the core staff in this paragraph to one (1) if the total is less than one (1);

(vi) Minimum teachers:

(A) The minimum number of teachers for any elementary school with more than forty-nine (49) ADM is six (6), as calculated by increasing the sum of the core teachers in paragraph (ii) of this subsection and specialist teachers in paragraph (iii) of this subsection to six (6). The minimum number of teachers for any middle school with more than forty-nine (49) ADM is eight (8), as calculated by increasing the sum of the core teachers in paragraph (ii) of this subsection and specialist teachers in paragraph (iii) of this subsection to eight (8). The minimum number of teachers for any high school with more than forty-nine (49) ADM is ten (10), as calculated by increasing the sum of the core teachers in paragraph (ii) of this subsection, specialist teachers in paragraph (iii) of this subsection and additional vocational education teachers in paragraph (iv) of this subsection to ten (10). The minimum number of teachers under this subparagraph shall be provided for each elementary school, middle

school and high school grade band level for a school that contains more than one (1) grade band and the grade band is more than forty-nine (49) ADM;

(B) The minimum number of teachers for any school with more than forty-nine (49) ADM, more than one (1) grade band level and at least one (1) grade band level with forty-nine (49) ADM or less shall be calculated as follows:

(I) For each grade band level with forty-nine (49) ADM or less, the minimum number of teachers shall be calculated by increasing the sum of the core teachers in paragraph (ii) of this subsection, specialist teachers in paragraph (iii) of this subsection and additional vocational education teachers in paragraph (iv) of this subsection to one (1) teacher position for every seven (7) ADM;

(II) For each grade band level with more than forty-nine (49) ADM, the minimum number of teachers shall be calculated as provided in subparagraph (A) of this paragraph.

(vii) Small school district teacher adjustment. For all schools within a district comprised of less than two hundred forty-three (243) total ADM and notwithstanding all other teacher resources in paragraphs (ii) through (vi) of this subsection, resource each school with a minimum of one (1) core teacher at every grade level with reported ADM, plus an additional twenty percent (20%) of elementary grade level core teachers to calculate elementary specialist teachers and an additional thirty-three percent (33%) of middle school and high school grade core teachers to calculate middle school and high school specialist teachers;

(viii) Instructional coaches:

(A) Elementary school instructional coaches shall be calculated as the product of the school's ADM multiplied by forty-five hundredths (0.45) divided by two hundred eighty-eight (288) for schools with more than forty-nine (49) ADM and schools not designated as alternative schools;

(B) Middle and high school instructional coaches shall be calculated as the product of the school's ADM multiplied by forty-five hundredths (0.45) divided by three hundred fifteen (315) for schools with more than forty-nine (49) ADM and schools not designated as alternative schools;

(C) For schools containing more than one (1) grade band and more than forty-nine (49) ADM, instructional coaches shall be calculated as the product of the school's total ADM multiplied by forty-five hundredths (0.45) divided by three hundred fifteen (315).

(ix) Tutors:

(A) Calculated as the school's at-risk students computed under W.S. 21-13-309(m)(v)(A) divided by one hundred (100) for schools with more than forty-nine (49) ADM and schools not designated as alternative schools;

(B) Minimum tutors. A minimum number of tutors shall be provided for schools with more than forty-nine (49) ADM and schools not designated as alternative schools based upon the following:

(I) Elementary schools. If the amount calculated under subparagraph (A) of this paragraph is less than the school ADM divided by two hundred eighty-eight (288), then increase the amount calculated under subparagraph (A) of this

paragraph so that the number of tutor positions is equal to the school ADM divided by two hundred eighty-eight (288);

(II) Middle and high schools. If the amount calculated under subparagraph (A) of this paragraph is less than the school ADM divided by three hundred fifteen (315), then increase the amount calculated under subparagraph (A) of this paragraph so that the number of tutor positions is equal to the school ADM divided by three hundred fifteen (315);

(III) For schools containing more than one (1) grade band, the minimum number of tutors shall be calculated as provided in subdivision (II) of this subparagraph using the total school ADM.

(x) Extended day and summer school teachers:

(A) Calculated as the school's at-risk students computed under W.S. 21-13-309(m)(v)(A) divided by one hundred twenty (120) then multiplied by six-tenths (0.6) for schools with more than forty-nine (49) ADM and schools not designated as alternative schools;

(B) Each school district shall receive a minimum of one-half (0.5) position if the total FTE calculated in subparagraph (A) of this paragraph is less than one-half (0.5).

(xi) Substitute teachers:

(A) Calculated as the product of five percent (5%) multiplied by the sum of FTE positions calculated in paragraphs (ii) through (x) of this subsection;

(B) The daily substitute rate shall be equal to the product of one hundred two dollars and fifteen cents (\$102.15) multiplied by seven and sixty-five hundredths percent (7.65%) for social security and Medicaid benefits;

(C) Total substitute teacher resources under this paragraph shall be equal to the product of one hundred seventy-five (175) multiplied by the product calculated in subparagraph (A) of this paragraph multiplied by the product calculated in subparagraph (B) of this paragraph.

(xii) Supervisory aides:

(A) Elementary school supervisory aides shall be calculated as the product of the school's ADM multiplied by two (2) then divided by two hundred eighty-eight (288) for schools with more than forty-nine (49) ADM and schools not designated as an alternative school;

(B) Middle school supervisory aides shall be calculated as the product of the school's ADM multiplied by two (2) then divided by three hundred fifteen (315) for schools with more than forty-nine (49) ADM and schools not designated as an alternative school;

(C) High school supervisory aides shall be calculated as the product of the school's ADM multiplied by five (5) then divided by three hundred fifteen (315) for schools with more than forty-nine (49) ADM and schools not designated as an alternative school;

(D) For schools with more than forty-nine (49) ADM and containing an elementary school grade band and a middle school grade band but not a high school grade

band, supervisory aide positions shall be calculated based upon the formula in subparagraph (B) of this paragraph using the total school ADM. For schools with more than forty-nine (49) ADM and containing a high school grade band and either an elementary school grade band or a middle school grade band or both, supervisory aide positions shall be calculated based upon the formula in subparagraph (C) of this paragraph using the total school ADM. This subparagraph shall not apply for schools designated as an alternative school.

(xiii) Pupil support positions:

(A) Calculated as the school's at-risk students computed under W.S. 21-13-309(m)(v)(A) divided by one hundred (100) for schools with more than forty-nine (49) ADM and schools not designated as an alternative school;

(B) Minimum pupil support positions. Minimum pupil support positions shall be provided for schools with more than forty-nine (49) ADM and schools not designated as an alternative school based upon the following:

(I) Elementary schools. If the amount calculated under subparagraph (A) of this paragraph is less than the school ADM divided by two hundred eighty-eight (288), then increase the amount of positions calculated under subparagraph (A) of this paragraph to equal to the school ADM divided by two hundred eighty-eight (288);

(II) Middle and high schools. If the amount calculated under subparagraph (A) of this paragraph is less than the school ADM divided by three hundred fifteen (315), then increase the amount of positions calculated under subparagraph (A) of this paragraph to equal to the school ADM divided by three hundred fifteen (315);

(III) For schools containing more than one (1) grade band, the minimum number of tutors shall be calculated as provided in subdivision (II) of this paragraph using the total school ADM.

(xiv) Counselors. Calculated as total middle and high school ADM divided by two hundred and fifty (250) for schools with more than forty-nine (49) ADM and schools not designated as alternative schools;

(xv) Librarians. Shall be calculated for schools with more than forty-nine (49) ADM and schools not designated as alternative schools based upon the following:

(A) Elementary schools. Calculated as the school's ADM divided by two hundred eighty-eight (288);

(B) Middle schools and high schools with more than forty-nine (49) ADM and less than one hundred five (105) ADM, provide librarian positions by prorating one (1) librarian position for one hundred five (105) ADM down to no librarian positions for forty-nine (49) ADM. For middle schools and high schools with ADM of one hundred five (105) or more up to six hundred thirty (630), provide one (1) librarian position. For middle schools and high schools with more than six hundred thirty (630) ADM, calculate librarian positions by dividing the school's ADM by six hundred thirty (630);

(C) For schools containing more than one (1) grade band and more than forty-nine (49) ADM, librarians shall be calculated using the formula in subparagraph (B) of this paragraph using the total school ADM.

(xvi) School computer technicians. For middle and high schools with more than forty-nine (49) ADM and schools not designated as alternative schools, calculated as each school's ADM divided by three hundred fifteen (315). For schools containing more than one (1) grade band, calculated using the total school ADM divided by three hundred fifteen (315);

(xvii) Principals. Shall be calculated for schools with more than forty-nine (49) ADM and schools not designated as alternative schools based upon the following:

(A) Elementary schools with more than forty-nine (49) ADM and less than ninety-six (96) ADM, provide principal positions by prorating one (1) principal position for ninety-six (96) ADM down to no position at forty-nine (49) ADM. Provide one (1) principal position for elementary schools with ninety-six (96) or more ADM;

(B) Middle and high schools with more than forty-nine (49) ADM and less than one hundred five (105) ADM, provide principal positions by prorating one (1) principal position for one hundred five (105) ADM down to no position for forty-nine (49) ADM. Provide one (1) principal position for middle schools and high schools with one hundred five (105) or more ADM;

(C) For schools containing more than one (1) grade band and more than forty-nine (49) ADM, provide principal positions based upon the formula in subparagraph (B) of this paragraph.

(xviii) Assistant principals:

(A) Prorate one (1) assistant principal position for every two hundred eighty-eight (288) elementary school ADM over two hundred eighty-eight (288) ADM;

(B) Prorate one (1) assistant principal position for every three hundred fifteen (315) middle school and high school ADM over three hundred fifteen (315) ADM;

(C) For schools containing more than one (1) grade band, prorate one (1) assistant principal position for every three hundred fifteen (315) ADM over three hundred fifteen (315) ADM using the total school ADM;

(D) Provide one (1) assistant principal position for a school with a total ADM of forty-nine (49) or less or for a school designated as an alternative school.

(xix) Secretaries. Calculated for schools with more than forty-nine (49) ADM and schools not designated as alternative schools based upon the following:

(A) Elementary schools with more than forty-nine (49) ADM and less than ninety-six (96) ADM, provide secretary positions by prorating one (1) secretary position for ninety-six (96) ADM down to no position at forty-nine (49) ADM. Elementary schools with more than ninety-six (96) ADM and up to two hundred eighty-eight (288) ADM, provide one (1) secretary position. Prorate one (1) additional secretary position for every two hundred eighty-eight (288) elementary ADM over two hundred eighty-eight (288) ADM;

(B) Middle schools and high schools with more than forty-nine (49) ADM and less than one hundred five (105) ADM, provide secretary positions by prorating

one (1) secretary position for one hundred five (105) ADM down to no position at forty-nine (49) ADM. Middle schools and high schools with more than one hundred five (105) ADM and up to three hundred fifteen (315) ADM, provide one (1) secretary position. Prorate one (1) additional secretary position for every three hundred fifteen (315) middle school and high school ADM over three hundred fifteen (315) ADM;

(C) For schools containing more than one (1) grade band and more than forty-nine (49) ADM, secretary positions shall be calculated using the formula in subparagraph (B) of this paragraph using the total school ADM.

(xx) Clerical positions. Calculated for schools with more than forty-nine (49) ADM and schools not designated as alternative schools based upon the following:

(A) Elementary schools with more than forty-nine (49) ADM, provide clerical positions by prorating one (1) clerical position for every two hundred eighty-eight (288) ADM down to no clerical positions for forty-nine (49) ADM;

(B) Middle schools with more than forty-nine (49) ADM, provide clerical positions by prorating one (1) clerical position for every three hundred fifteen (315) ADM down to no clerical positions for forty-nine (49) ADM;

(C) High schools with more than forty-nine (49) ADM, provide clerical positions by prorating four (4) clerical positions for every six hundred thirty (630) ADM down to no clerical positions for forty-nine (49) ADM;

(D) For schools with more than forty-nine (49) ADM and containing an elementary school grade band and middle school grade band but not a high school grade band, clerical positions shall be calculated based upon the formula in subparagraph (B) of this paragraph using the total school ADM. For schools with more than forty-nine (49) ADM and containing a high school grade band and either an elementary school grade band or a middle school grade band or both, clerical positions shall be calculated based upon the formula in subparagraph (C) of this paragraph using the total school ADM.

(xxi) Books and instructional materials. Resources shall be calculated as the product of the school's ADM multiplied by two hundred nine dollars and thirty-three cents (\$209.33);

(xxii) Technology and equipment. Resources shall be calculated as the product of the school's ADM multiplied by two hundred fifty dollars (\$250.00). This amount shall not be subject to any external cost adjustment applicable under W.S. 21-13-309(o);

(xxiii) Gifted and talented students. Resources shall be calculated as the product of the school's ADM multiplied by forty-four dollars and seven cents (\$44.07);

(xxiv) Career and technical education equipment and materials. Resources shall be calculated as the product of each high school's FTE vocational education teachers reported under W.S. 21-13-309(m)(v)(D)(III) multiplied by ten thousand three hundred thirteen dollars and eighty-eight cents (\$10,313.88);

(xxv) Student activities shall be based upon each school's ADM. A middle school with ADM in grade nine (9) shall have that ADM included in the high school ADM for the high school the students would normally attend. Student activity funding shall be calculated in the following manner:

(A) Elementary school student activity resources shall be calculated as the product of the total elementary school ADM multiplied by twenty-six dollars and two cents (\$26.02);

(B) Middle school student activity resources shall be calculated as the product of the total middle school ADM multiplied by:

(I) Eight hundred fifty-six dollars (\$856.00) for a school with one (1) ADM, prorated down to five hundred eighty-five dollars and forty-one cents (\$585.41) for a school with one hundred five (105) ADM;

(II) Five hundred eighty-five dollars and forty-one cents (\$585.41) for a school with one hundred five (105) ADM, prorated down to four hundred three dollars and twenty-nine cents (\$403.29) for a school with two hundred ten (210) ADM;

(III) Four hundred three dollars and twenty-nine cents (\$403.29) for a school with two hundred ten (210) ADM, prorated down to three hundred twenty-five dollars and twenty-three cents (\$325.23) for a school with three hundred fifteen (315) ADM;

(IV) Three hundred twenty-five dollars and twenty-three cents (\$325.23) for a school with three hundred fifteen (315) ADM, prorated down to two hundred eighty-six dollars and twenty cents (\$286.20) for a school with six hundred thirty (630) ADM;

(V) Two hundred eighty-six dollars and twenty cents (\$286.20) for a school with six hundred thirty (630) ADM, prorated down to two hundred twenty-one dollars and sixteen cents (\$221.16) for a school with one thousand two hundred sixty (1,260) or more ADM;

(C) High school student activity resources shall be calculated as the product of the total high school ADM multiplied by:

(I) Two thousand two hundred six dollars and fifty-nine cents (\$2,206.59) for a school with one (1) ADM, prorated down to one thousand six hundred ninety-one dollars and eighteen cents (\$1,691.18) for a school with one hundred five (105) ADM;

(II) One thousand six hundred ninety-one dollars and eighteen cents (\$1,691.18) for a school with one hundred five (105) ADM, prorated down to one thousand three hundred sixty-five dollars and ninety-five cents (\$1,365.95) for a school with two hundred ten (210) ADM;

(III) One thousand three hundred sixty-five dollars and ninety-five cents (\$1,365.95) for a school with two hundred ten (210) ADM, prorated down to one thousand one hundred five dollars and seventy-seven cents (\$1,105.77) for a school with three hundred fifteen (315) ADM;

(IV) One thousand one hundred five dollars and seventy-seven cents (\$1,105.77) for a school with three hundred fifteen (315) ADM, prorated down to seven hundred eighty dollars and fifty-four cents (\$780.54) for a school with six hundred thirty (630) ADM;

(V) Seven hundred eighty dollars and fifty-four cents (\$780.54) for a school with six hundred thirty (630) ADM, prorated down to six hundred fifty dollars

and forty-five cents (\$650.45) for a school with one thousand two hundred sixty (1,260) or more ADM.

(xxvi) Professional development. Resources shall be calculated as the product of the school's ADM multiplied by one hundred thirty-seven dollars and seventy-two cents (\$137.72);

(xxvii) Central office staff:

(A) For school district ADM of five hundred (500) or less, three (3) administrative positions and three (3) classified positions;

(B) For school district ADM from five hundred (500) to one thousand (1,000), provide four (4) administrative positions and four (4) classified positions at one thousand (1,000) ADM, prorated down to three (3) administrative positions and three (3) classified positions at five hundred (500) ADM;

(C) For school district ADM from one thousand (1,000) to three thousand five hundred (3,500), provide eight (8) administrative positions and ten (10) classified positions at three thousand five hundred (3,500) ADM, prorated down to four (4) administrative positions and four (4) classified positions at one thousand (1,000) ADM;

(D) For a school district with ADM greater than three thousand five hundred (3,500), prorate eight (8) administrative positions for every three thousand five hundred (3,500) ADM and prorate ten (10) classified positions for every three thousand five hundred (3,500) ADM.

(xxviii) Central office nonpersonnel resources. Resources shall be calculated as the product of the school district ADM multiplied by four hundred dollars and twenty cents (\$400.20);

(xxix) Maintenance and operations. Resourced as follows:

(A) For school buildings containing more than one (1) grade band level or school, the resources shall be generated at the highest grade band level using the total ADM in the building;

(B) School custodians. For school buildings with more than forty-nine (49) ADM, calculated using the average of the following 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) custodian multiplied by the total of the number of teachers resourced under paragraphs (i) through (v) of this subsection divided by thirteen (13);

(II) One (1) custodian multiplied by the result of the total school building ADM divided by three hundred twenty-five (325);

(III) One (1) custodian multiplied by the total of the number of classrooms in the building divided by thirteen (13);

(IV) One (1) custodian multiplied by the result of the total allowable gross square footage of education space for the school building in accordance with W.S. 21-13-309(m)(v)(G)(II) divided by eighteen thousand (18,000).

(C) District custodians. Calculated as the product of one (1) custodian position multiplied by ten percent (10%) of the total allowable gross square footage of education space for all school buildings in the district in accordance with W.S. 21-13-309(m)(v)(G)(II) then divided by eighteen thousand (18,000);

(D) Maintenance workers. A base FTE resourced using the average of the four (4) factors specified under subdivisions (I), (II), (III) and (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) maintenance worker per school building;

(II) One (1) maintenance worker multiplied by the total of the allowable gross square footage of education space for the school building in accordance with W.S. 21-13-309(m)(v)(G)(II) divided by sixty thousand (60,000), then multiplied by a factor of one and two tenths (1.2);

(III) One (1) maintenance worker multiplied by the total ADM for the school building divided by one thousand (1,000), then multiplied by a factor of one and three-tenths (1.3);

(IV) One (1) maintenance worker multiplied by the school district's school year 2005-2006 general fund operating expenditures divided by five million dollars (\$5,000,000), then multiplied by a factor of 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), for middle schools equal to the product of the base FTE multiplied by a factor of one (1) and for high schools equal to the product of the base FTE multiplied by a factor of two (2);

(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) 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);

(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).

(E) Groundskeepers:

(I) In making calculations under this subparagraph:

(1) For school land acreage containing more than one (1) school building, the resources shall be generated at the highest applicable grade band level using the total ADM of all schools on the land acreage;

(2) 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 school facility commission guidelines, 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.

(II) A base groundskeeper FTE shall be calculated for each school site as the product of the allowable acreage computed under subdivision (I) of this subparagraph 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;

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

(xxx) Operations and maintenance supplies. Resources shall be calculated for each district as the product of the allowable gross square footage of education space for each school building in accordance with W.S. 21-13-309(m)(v)(G)(II) multiplied by a factor of one and one-tenth (1.1) and then multiplied by seventy-three cents (\$0.73);

(xxxii) Utilities. Actual school year 2009-2010 expenditures by district excluding amounts reimbursed under W.S. 21-13-320 and 21-13-321 as adjusted by negative ten and seven hundred sixty-two thousandths percent (-10.762%), further adjusted by four and seventy-seven hundredths percent (4.77%), further adjusted by ten and eight hundred twenty-three thousandths percent (10.823%), further adjusted by nine hundred thirty-six thousandths percent (0.936%) and further adjusted by external cost adjustments enacted by law. For additional school buildings added to district building inventories after school year 2009-2010, one hundred percent (100%) of 2009-2010 district average utility expenditures per gross square foot for district school buildings multiplied by the additional authorized educational square footage;

(xxxiii) School adjustments:

(A) For a school configured with grade kindergarten through six (K-6), resource as an elementary school;

(B) For a school configured with grades five through eight (5-8), grades six through nine (6-9) or grades seven through nine (7-9), resource as a middle school;

(C) For a school configured with grades kindergarten through seven (K-7), grades kindergarten through eight (K-8) or grades kindergarten through nine (K-9), resource grades kindergarten through five (K-5) as an elementary school grade band for teacher resources and remaining grades and as a middle school grade band for teacher resources;

(D) For a school configured with grades kindergarten through twelve (K-12), resource grades kindergarten through five (K-5) as an elementary school grade band for teacher resources, grades six through eight (6-8) as a middle school grade band for teacher resources and the remaining grades and as a high school grade band for teacher resources;

(E) For a school configured with grades six through twelve (6-12) or grades seven through twelve (7-12), resource grades six through eight (6-8) as a middle school grade band for teacher resources and the remaining grades and as a high school grade band for teacher resources.

(xxxiii) Salaries for all school and district level staffing categories under this subsection, shall be based upon salary levels as specified under this paragraph. The salary level for each staffing category shall be adjusted for each district based upon the district experience, education and responsibility level as specified for that staffing category. District experience, education and responsibility level by appropriate staffing category shall be updated each year by the department of education so that district adjustments reflect the prior school year information. The education adjustments under this paragraph shall only reflect the highest degree obtained by district staff. The staffing categories and specified salaries and adjustments are as follows:

(A) Central office administrative positions:

(I) One (1) superintendent salary equal to seventy-nine thousand five hundred eighteen dollars and ninety cents (\$79,518.90), plus nineteen thousand one hundred fifty-seven dollars and thirty-six cents (\$19,157.36) multiplied by the average number of central office administrative positions that have a bachelor's degree, plus twenty-five thousand three hundred seventy-five dollars and twenty-one cents (\$25,375.21) multiplied by the average number of central office administrative positions that have a master's degree, plus thirty thousand five hundred forty-six dollars and sixteen cents (\$30,546.16) multiplied by the average number of central office administrative positions that have a doctoral degree, plus two hundred thirteen dollars and seventy-seven cents (\$213.77) multiplied by the average years of state experience, plus four dollars and twenty-five cents (\$4.25) multiplied by the district ADM;

(II) One (1) assistant superintendent salary equal to eighty percent (80%) of the superintendent salary calculated in subdivision (I) of this subparagraph;

(III) One (1) business manager salary equal to forty-three thousand six hundred eighty-seven dollars and thirty-nine cents (\$43,687.39), plus nineteen thousand one hundred fifty-seven dollars and thirty-six cents (\$19,157.36) multiplied by the average number of central office administrative positions that have a bachelor's degree, plus twenty-five thousand three hundred seventy-five dollars and twenty-one cents (\$25,375.21) multiplied by the average number of central office administrative positions that have a master's degree, plus thirty thousand five hundred forty-six dollars and sixteen cents (\$30,546.16) multiplied by the average number of central office administrative positions that have a doctoral degree, plus two hundred thirteen dollars and seventy-seven cents (\$213.77) multiplied by the average years of state experience, plus four dollars and twenty-five cents (\$4.25) multiplied by the district ADM;

(IV) Additional central office administrative positions resourced under paragraph (xxvii) of this subsection in excess of three (3) FTE shall have a salary equal to the average of:

(1) The salary calculated under subdivision (II) of this subparagraph multiplied by two (2), plus;

(2) The salary calculated under subdivision (III) of this subparagraph.

(B) Principal salaries shall be equal to seventy-three thousand seven hundred forty dollars and eight cents (\$73,740.08), plus eight thousand five hundred twenty-four dollars and twenty-seven cents (\$8,524.27) multiplied by the average number of principal and assistant principal positions that have a doctoral degree, plus six hundred forty dollars and sixteen cents (\$640.16) multiplied by the average years of state experience, plus fourteen dollars and fifty-six cents (\$14.56) multiplied by the average school ADM;

(C) Assistant principal salaries shall be equal to fifty-nine thousand nine hundred seventy-nine dollars (\$59,979.00), plus eight thousand five hundred twenty-four dollars and twenty-seven cents (\$8,524.27) multiplied by the average number of principal and assistant principal positions that have a doctoral degree, plus six hundred forty dollars and sixteen cents (\$640.16) multiplied by the average years of state experience, plus fourteen dollars and fifty-six cents (\$14.56) multiplied by the average school ADM;

(D) Teacher salaries under this subparagraph shall be provided for core teachers, specialist teachers, English language learner teachers, instructional coaches, tutors, summer school teachers, extended day teachers, counselors, pupil support positions, and librarians. Teacher salaries shall be equal to thirty-eight thousand ninety-eight dollars and ninety-one cents (\$38,098.91), plus six thousand three hundred forty-four dollars and thirty-six cents (\$6,344.36) multiplied by the average number of teacher positions that have a master's degree, plus thirteen thousand eight hundred forty-two dollars and twenty-five cents (\$13,842.25) multiplied by the average number of teacher positions that have a doctoral degree, plus eight hundred sixty-eight dollars and seventy cents (\$868.70) multiplied by the average years of teaching experience up to twenty (20) years, plus two hundred twenty-five dollars and forty-eight cents (\$225.48) multiplied by the average years of teaching experience over twenty (20) years;

(E) School computer technician salaries shall be equal to thirty-nine thousand five hundred fifty-six dollars and nineteen cents (\$39,556.19), plus thirteen thousand six hundred forty-nine dollars (\$13,649.00) multiplied by the average number of school computer technician positions that have a bachelor's degree, plus six hundred fifty-nine dollars and eighty cents (\$659.80) multiplied by the average years of state experience;

(F) Supervisory aide salaries shall be equal to seventeen thousand six hundred one dollars and forty-five cents (\$17,601.45), plus two thousand forty-nine dollars and forty cents (\$2,049.40) multiplied by the average number of supervisory aide positions that have a bachelor's degree, plus two hundred eighty-two dollars and eighty cents (\$282.80) multiplied by the average years of state experience;

(G) School secretary salaries shall be equal to twenty-nine thousand eight hundred forty-six dollars and eighty cents (\$29,846.80), plus four hundred eleven dollars and ninety-eight cents (\$411.98) multiplied by the average years of state experience for all secretary and clerical positions;

(H) School clerical salaries shall be equal to twenty-two thousand nine hundred sixty-two dollars and fifteen cents (\$22,962.15), plus three hundred sixteen dollars and fifty-five cents (\$316.55) multiplied by the average years of state experience for all secretary and clerical positions;

(J) Central office classified position salaries shall be equal to thirty-two thousand four hundred twelve dollars and ninety-one cents (\$32,412.91), plus four hundred eleven dollars and ninety-eight cents (\$411.98) multiplied by the average years of state experience for all secretary and clerical positions;

(K) Maintenance worker and groundskeeper salaries shall be equal to thirty-two thousand six hundred seventy-nine dollars and eighteen cents (\$32,679.18), plus four hundred eighty-four dollars and thirteen cents (\$484.13) multiplied by the average years of state experience for all maintenance worker, groundskeeper and custodian positions;

(M) Custodian salaries shall be equal to twenty-six thousand five hundred twenty-nine dollars and eighty-one cents (\$26,529.81), plus four hundred eighty-four dollars and thirteen cents (\$484.13) multiplied by the average years of state experience for all maintenance worker, groundskeeper and custodian positions.

(xxxiv) Each district adjusted average salary for each staffing category under paragraph (xxxiii) of this subsection shall be further adjusted as follows:

(A) Increased by an amount equal to twenty-one and one-tenth percent (21.1%) of the district adjusted average salary for:

(I) Social security equaling six and two tenths percent (6.2%);

(II) Medicare equaling one and forty-five hundredths percent (1.45%);

(III) Worker's compensation equaling seven tenths percent (0.7%);

(IV) Unemployment insurance equaling six hundredths percent (0.06%);

(V) Retirement equaling twelve and sixty-nine hundredths percent (12.69%). The amount contains employee contributions to the Wyoming retirement system of five and fifty-seven hundredths percent (5.57%) and employer contributions to the Wyoming retirement system of seven and twelve hundredths percent (7.12%).

(B) Regional cost adjustment differences as measured by the greater of the 2005 hedonic wage index or the Wyoming cost-of-living index computed by the division of economic analysis, department of administration and information, with a minimum of one hundred (100) index value. For purposes of the education resource block grant model, the version of the Wyoming cost-of-living index used by the division shall be based upon the unrecalibrated housing cost index weights unless otherwise determined by the legislature. In addition, the version of the Wyoming cost-of-living index applied under this subparagraph for any school year shall be the average of the six (6) consecutive semiannual index reports completed by January 1 of the immediately preceding school year. The regional cost adjustment under this subparagraph shall be multiplied by the district adjusted average salary as further adjusted under subparagraph (A) of this paragraph;

(xxxv) Health insurance. An amount for health insurance benefits computed under W.S. 21-13-309(m)(v)(F).

(xxxvi) External cost adjustment. Except as otherwise provided in this section, the block grant model components as provided in this subsection or any specified category of model components shall be subject to an external cost adjustment as adopted by the legislature pursuant to W.S. 21-13-309(o)."

Page 47-line 5 Delete "21-9-101(d),".

Page 47-line 6 Delete "(iv)(A),"; after "(III)," insert "by adding new subdivisions (IV) through (VI),".

Page 48-lines 7 through 10 Delete entirely and insert "twenty-five percent (25%) to the legislative stabilization reserve account created by W.S. 9-4-219, twenty-five percent (25%) to the school foundation program account created by W.S. 21-13-306 and fifty percent (50%) to the strategic investments and projects account created by W.S. 9-4-220; ~~in equal amounts;~~".

Page 49-lines 4 through 15 Delete entirely.

Page 51-lines 21 through 23 Delete entirely.

Page 52-lines 1 through 23 Delete entirely.

Page 53-lines 1-through 18 Delete entirely.

Page 55-after line 10 Insert:

"(IV) In addition to funding amounts calculated under subdivisions (F)(I) through (III), the department of education shall adjust each school district's foundation program amount computed in accordance with W.S. 21-13-309(p) for school years 2021-2022 and 2022-2023 to provide additional health insurance funding. The health insurance adjustment added to each school district's foundation program amount shall be calculated in accordance with subdivisions (V) and (VI) of this subparagraph;

(V) For school year 2021-2022 only, additional health insurance funding for a school district shall be calculated in accordance with following:

(1) Multiply the annualized state contribution rate for employee only, split contracts, employee plus spouse or children and family coverage based on district weighted actual participation in district health insurance plans by the number of positions funded within the education resource block grant model for that school district;

(2) Multiply the annualized state contribution rate for employee only, split contracts, employee plus spouse or children and family coverage based on district weighted actual participation in district health insurance plans by the lesser of the number of school district employees funded within the education resource block grant model that are actually enrolled in a school district health insurance plan for the preceding school year or the number of positions funded within the education resource block grant model;

(3) Subtract the product calculated in subdivision (2) of this subdivision from the product calculated in subdivision (1) of this subdivision and multiply that difference by two-thirds (2/3) to calculate the additional funding amount.

(VI) For school year 2022-2023 only, additional health insurance funding for a school district shall be calculated in accordance with following:

(1) Multiply the annualized state contribution rate for employee only, split contracts, employee plus spouse or children and family coverage based on district weighted actual participation in district health insurance plans by the number of positions funded within the education resource block grant model for that school district;

(2) Multiply the annualized state contribution rate for employee only, split contracts, employee plus spouse or children and family coverage based on district weighted actual participation in district health insurance plans by the lesser of the number of school district employees funded within the education resource block grant model that are actually enrolled in a school district health insurance plan for the preceding school year or the number of positions funded within the education resource block grant model;

(3) Subtract the product calculated in subdivision (2) of this subdivision from the product calculated in subdivision (1) of this subdivision and multiply that difference by one-third (1/3) to calculate the additional funding amount."

Page 58-line 16 After "district." insert "In making this calculation, the balance of funds received under Section 2001 of the federal American Rescue Plan Act, P.L. No. 117-2, shall be separately accounted for and excluded, until it has been completely expended by the district.".

Page 59-line 21 Delete "June 30, 2025" and insert "June 30, 2026".

Page 59-line 23 Delete "twenty-five".

Page 60-line 1 Delete "percent (25%)" and insert "thirty percent (30%)".

Page 60-line 5 Delete "twenty-five percent (25%)" and insert "thirty percent (30%)".

Page 61-line 14 Delete "one".

Page 61-line 15 Delete "percent (1%)" and insert "one-half percent (0.5%)".

Page 61-line 17 Delete "five percent (5%)" and insert "four and one-half percent (4.5%)".

Page 62-line 21 Delete "one percent".

Page 62-line 22 Delete "(1%)" and insert "one-half percent (0.5%)".

Page 62-line 23 Delete "five".

Page 63-line 1 Delete "percent (5%)" and insert "four and one-half percent (4.5%)".

Page 64-lines 13 through 22 Delete entirely.

Page 65-lines 1 through 9 Delete entirely and insert:

"(a) For school years 2020-2021, 2021-2022 and 2022-2023 the state superintendent shall reduce each school district's foundation program amount in accordance with this section.

(b) For each school district that receives funds under Section 2001 of the American Rescue Plan Act, P.L. No. 117-2, the school district shall report the allocated amount to the state superintendent upon notice of the allocation. The state superintendent shall reduce the school district's foundation program amount calculated pursuant to W.S. 21-13-309(p) by the maximum reduction allowed by the American Rescue Plan Act that meets state maintenance of effort and equity requirements of that federal law. Notwithstanding any other provision of law, the amount of funds distributed from the foundation program in accordance with W.S. 21-13-313(c) shall be reduced by the amount calculated, or recapture payments in accordance with W.S. 21-13-102(b) increased, subject to and in accordance with the provisions of this section. If a school district has received an amount from the foundation program in excess of the calculated amount under this section, a school district shall remit the difference to the department of education or have their recapture payment increased to account for the difference. The department of education shall deposit any difference within the school foundation program account.

(c) The state superintendent shall implement funding reductions over school years 2020-2021, 2021-2022 and 2022-2023 in a manner and in amounts that allow school districts to efficiently provide educational services to public school students. The reductions shall be implemented taking into consideration the district's actual receipt of the federal funds and cash flow needs of the district. The maximum reduction under this section for school years 2020-2021, 2021-2022 and 2022-2023 shall not exceed eighty percent (80%) of the total amount allocated to Wyoming school districts under Section 2001 of the American Rescue Plan Act. The state superintendent shall not reduce any amount due to a school district for reimbursement of special education programs and services under W.S. 21-13-321."

Page 65-line 11 After "6." delete balance of line and insert:

"(a) Except as provided by subsection (b) of this section, this act is effective July 1, 2021.

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

To the extent required by this amendment, renumber as necessary. BARLOW, SIMPSON

HB0173H3020/FAILED

[TO SUBSTITUTE BILL No. 1]

Page 47-lines 1 and 2 In the Barlow, et al. third reading amendment (HB0173H3019/A) to these lines, in 21-13-309.1 created by that amendment after subsection (c), insert:

"(d) Funding provided under subsection (c) of this section shall be limited as provided in this subsection. Funding for student activities under paragraph (c)(xxv) of this section and funding for central office staff, central office nonpersonnel resources, maintenance and operations and operations and maintenance supplies under paragraphs (c)(xxvii) through (xxx) shall be calculated as components of the Wyoming education resource block grant model but shall be provided as two (2) categorical grants, one (1) for student activities and one (1) for central office resources. Expenditures in each district for each categorical grant shall not exceed the amount calculated for each district for that category under subsection (c) of this section. An amount equal to any expenditure in excess of the amount calculated under this subsection for each category shall be deducted from the foundation program amount calculated for the district in the immediately following fiscal year.".

HALLINAN

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Bear, Blackburn, Burt, Clausen, Fortner, Gray, Hallinan, Haroldson, Heiner, Jennings, Laursen, D, Ottman, Stith, Styvar, Washut, Wharff, Williams, Winter

Nays: Representative(s) Banks, Barlow, Brown, Burkhart, Clifford, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Greear, Harshman, Henderson, Hunt, Kinner, Knapp, Larsen, L, Macguire, Martinez, Neiman, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Paxton, Provenza, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Sweeney, Walters, Western, Wilson, Yin, Zwonitzer

Ayes 20 **Nays** 40 **Excused** 0 **Absent** 0 **Conflicts** 0

HB0173H3021/FAILED

[TO SUBSTITUTE BILL No. 1]

Delete the Harshman second reading amendment (HB0173H2011/A) entirely and further amend as follows:

Page 1-line 10 After "taxes;" delete balance of line.

Page 1-line 11 Delete line through "taxes;".

Page 47-line 7 After "21-13-313(e)" delete "," and insert "and".

Page 47-line 8 After "and (vi)" delete balance of line.

Page 47-lines 9 through 11 Delete entirely.

Page 61-lines 10 through 22 Delete entirely, including the Barlow, et al. third reading amendment (HB0173H3019/A) to these lines.

Pages 62 and 63 Delete entirely, including the Barlow, et al. third reading amendment (HB0173H3019/A) to these lines. GRAY, BEAR, HEINER, JENNINGS

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Bear, Blackburn, Burt, Clausen, Crago, Fortner, Gray, Hallinan, Haroldson, Heiner, Jennings, Kinner, Knapp, Laursen, D, Macguire, Neiman, Oakley, Obermueller, Ottman, Stith, Styvar, Washut, Western, Wharff, Williams, Winter

Nays: Representative(s) Banks, Barlow, Brown, Burkhart, Clifford, Connolly, Duncan, Eklund, Eyre, Flitner, Greear, Harshman, Henderson, Hunt, Larsen, L, Martinez, Newsome, Nicholas, O'hearn, Olsen, Paxton, Provenza, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Sweeney, Walters, Wilson, Yin, Zwonitzer
Ayes 28 **Nays** 32 **Excused** 0 **Absent** 0 **Conflicts** 0

HB0173H3022/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Delete the first Zwonitzer third reading amendment (HB0173H3005/A) entirely and further amend as follows:

Page 1-line 13 After "applicability;" insert "providing for a study on the reorganization of school districts;".

Page 65-lines 1 through 9 In the Barlow, et al. third reading amendment (HB0173H3019/A) to these lines, after the subsection (c) created by that amendment, insert and renumber as necessary:

"Section 6. Not later than October 30, 2021, the state board of education shall conduct a study on the reorganization of Wyoming school districts to improve efficiency in the administration of school districts and to promote the shared use of services among school districts, provided that the study shall contemplate two (2) independent districts for the Wind River Indian Reservation. The state board of education shall submit the report to the joint education interim committee. The study shall specify any steps necessary to implement any recommended reorganization." . SOMMERS

HB0173H3023/WITHDRAWN

HB0173H3014/WITHDRAWN

3/23/2021 H 3rd Reading:Passed 41-19-0-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Banks, Barlow, Brown, Burkhart, Clausen, Clifford, Connolly, Duncan, Eklund, Eyre, Flitner, Greear, Hallinan, Harshman, Henderson, Hunt, Larsen, L, Macguire, Martinez, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Paxton, Provenza, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Baker, Bear, Blackburn, Burt, Crago, Fortner, Gray, Haroldson, Heiner, Jennings, Kinner, Knapp, Laursen, D, Neiman, Ottman, Styvar, Western, Wharff, Williams

Ayes 41 **Nays** 19 **Excused** 0 **Absent** 0 **Conflicts** 0

3/25/2021 S Received for Introduction
3/25/2021 S Introduced and Referred to S04 - Education
3/30/2021 S04 - Education:Recommend Amend and Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Biteman, Ellis, Salazar, Scott

Nays: Senator Rothfuss

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

3/30/2021 S Placed on General File

HB0173SS001/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 8 Delete "amending provisions governing the".

Page 1-lines 9 through 11 Delete entirely.

Page 1-line 12 Delete "distribution of the taxes;" and insert "amending class size requirements;".

Page 1-line 15 After "districts;" insert "requiring a school district to maintain a separate reserve account; requiring an audit;".

Page 6-line 13 Delete "sixteen (16)" and insert "eighteen (18)".

Page 6-line 16 Delete "twenty-one (21)" and insert "twenty-three (23)".

Page 6-line 19 Delete "twenty-one (21)" and insert "twenty-three (23)".

Page 7-line 20 Delete "twenty-one (21)" and insert "twenty-three (23)".

Page 42-lines 21 through 23 Delete entirely.

Page 43-lines 1 through 16 Delete entirely and insert:

"(D) Teacher salaries under this subparagraph shall be provided for core teachers, specialist teachers, English language learner teachers, tutors, summer school teachers, extended day teachers, counselors, pupil support positions and librarians. Teacher salaries shall be equal to forty-one thousand nine hundred eight dollars and eighty cents (\$41,908.80), plus six thousand nine hundred seventy-eight dollars and eighty cents (\$6,978.80) multiplied by the average number of teacher positions that have a master's degree, plus fifteen thousand two hundred twenty-six dollars and forty-eight cents (\$15,226.48) multiplied by the average number of teacher positions that have a doctoral degree, plus nine hundred fifty-five dollars and fifty-seven cents (\$955.57) multiplied by the average years of teaching experience up to twenty (20) years, plus two hundred forty-eight dollars and three cents (\$248.03) multiplied by the average years of teaching experience over twenty (20) years;".

Page 48-after line 12 Insert:

"(d) Funding for teachers under paragraphs (c)(ii) through (vii) of this section shall be calculated as a component of the Wyoming education resource block grant model but shall be provided as a categorical grant outside of the block grant. This categorical grant shall not be expended for any purpose other than funding for teachers under paragraphs (c)(ii) through (vii) of this section. Categorical grant funds under this subsection that are unexpended and unencumbered at the end of each fiscal year shall revert to the school foundation program account.".

Page 48-line 14 Delete "9-4-719(q)(i)," ; after "21-2-204(b)(intro)," insert "21-9-101(d)," .

Page 48-line 17 After "(u)" delete "," and insert "and"; delete ", 39-14-801(b)(intro) and by".

Page 48-lines 18 through 21 Delete entirely.

Page 48-line 22 Delete "subsection (p)".

Page 49-lines 1 through 22 Delete entirely.

Page 50-after line 14 Insert:

"21-9-101. Educational programs for schools; standards; core of knowledge and skills; special needs programs; class size requirements; cocurricular activities.

(d) In addition to subsections (b) and (c) of this section, each school district within this state shall endeavor to maintain when practicable, in kindergarten through grade three (3) within the district, an average class size of no more than ~~sixteen (16)~~ eighteen (18) students per teacher, excluding children with disabilities who spend more than fifty percent (50%) of their time outside of regular classroom instruction."

Page 56-line 7 Delete "two-thirds (2/3)" and insert "one-third (1/3)".

Page 63-lines 4 through 22 Delete entirely.

Pages 64 through 66 Delete entirely.

Page 67-lines 1 through 6 Delete entirely.

Page 67-line 8 Delete "," and insert "and".

Page 67-line 9 Delete "and 39-14-801(b)(i) through (iv)".

Page 69-after line 18 Insert and renumber as necessary:

"Section 6.

(a) Any federal funds received by a school district under section 2001 of the American Rescue Plan Act, P.L. No. 117-2, shall be deposited into a separate account and shall only be expended for essential education services as defined in this subsection and as provided in W.S. 21-13-309.1 created by this act. As used in this section, "essential education services" means those services required for "a complete and uniform system of public instruction," per the Wyoming constitution, Article 7, Section 1 and to provide "a thorough and efficient system of public schools, adequate to the proper instruction of all youth of the state," per the Wyoming constitution, Article 7, Section 9 and means as provided in W.S. 21-13-309.1 created by this act, as modified by W.S. 21-13-309(m) and by section 5 of this act.

(b) Amounts allocated to a school district under W.S. 21-13-309(p) shall only be expended for essential education services. Any unexpended, unobligated funds from amounts allocated under W.S. 21-13-309(p) remaining at the end of school year 2020-2021, at the end of school year 2021-2022 and at the end of school year 2022-2023 shall be transferred after each school year to a separate school district reserve account for purposes of essential education services as

provided in W.S. 21-13-309.1, as amended. Funds transferred to a school district's separate reserve account shall not be expended for any other purpose.

(c) The state superintendent shall audit school districts regarding how they expend any federal funds received under the federal American Rescue Plan Act, P.L. No. 117-2, and how they expend all funds received for school years 2021-2022 and 2022-2023 according to W.S. 21-13-309.1, created by this act. The superintendent may expend federal funds that are not distributed to school districts to pay for the audit. The superintendent shall require each district to account for any funds allocated under W.S. 21-13-309(p) that were not expended on the components in W.S. 21-13-309.1 and that were not subsequently transferred to the school district's reserve account pursuant to this section. If the audit reveals material noncompliance with this section, a school district shall develop a plan to transfer to its separate reserve account the funds identified to be out of compliance."

Page 69-lines 20 through 23 Delete entirely.

Page 70-lines 1 through 19 Delete entirely and insert and renumber as necessary:

"**Section 7.** Not later than November 15, 2022, an executive task force as appointed by this section shall conduct a study and provide a report on the reorganization of Wyoming school districts to improve efficiency in the administration of school districts and to promote the shared use of services among school districts. The study shall include consideration of impact aid funding for all school districts. An executive task force comprised of representatives of the governor's policy office, the department of education, the state budget department, the department of revenue and the office of the attorney general shall conduct the study and prepare the report required by this section. The task force shall be led and staffed by the governor's office. The task force shall submit the report of the study to the joint education interim committee not later than November 15, 2022. The report shall specify any steps necessary to implement any recommended reorganization.". SCOTT, CHAIRMAN

HB0173SW001/ADOPTED (TO ENGROSSED COPY)

Page 42-lines 21 through 23 Delete entirely including the Senate standing committee amendment (HB0173SS001/AE) to these lines.

Page 43-lines 1 through 16 Delete entirely including the Senate standing committee amendment (HB0173SS001/AE) to these lines and insert:

"(D) Teacher salaries under this subparagraph shall be provided for core teachers, specialist teachers, English language learner teachers, tutors, summer school teachers, extended day teachers, counselors, pupil support positions and librarians. Teacher salaries shall be equal to forty-one thousand four hundred fifty-one dollars and sixty-one cents (\$41,451.61), plus six thousand nine hundred two dollars and sixty-six cents (\$6,902.66) multiplied by the average number of teacher positions that have a master's degree, plus fifteen thousand sixty dollars and thirty-seven cents (\$15,060.37) multiplied by the average number of teacher positions that have a doctoral degree, plus nine hundred forty-five dollars and fifteen cents (\$945.15) multiplied by the average years of teaching experience up to twenty (20) years, plus two hundred forty-five dollars and thirty-two cents (\$245.32)

multiplied by the average years of teaching experience over twenty (20) years;".
SCOTT

HB0173SW002/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 15

Delete the Senate standing committee amendment (HB0173SS001/AE) to this line; after "districts;" insert "requiring a school district to maintain a separate reserve account; requiring the state superintendent of public instruction to monitor district spending;".

Page 2-line 13

After "legislature." insert "This section provides a quantitative definition of the total essential education services as defined in paragraph (b)(ii) of this section. This section shall only be construed as placing a total limit on school district spending on essential education services and shall not be construed to place an upper or lower limit on spending on any individual component except as specifically provided by this section or other law.".

Page 4-after line 21

Insert and renumber as necessary:

"(ii) "Essential education services" means those services required for "a complete and uniform system of public instruction," as stated in the Wyoming constitution, Article 7, Section 1 and to provide "a thorough and efficient system of public schools, adequate to the proper instruction of all youth of the state," as stated in the Wyoming constitution, Article 7, Section 9 and includes the components as specified in this section and as modified by W.S. 21-13-309(m).".

Page 5-line 1

Delete "(ii)" and insert "(iii)".

Page 5-line 5

Delete "(iii)" and insert "(iv)".

Page 69-after line 18

In the Senate standing committee amendment (HB0173SS001/AE) to this line, delete subsection (a) created by that amendment and insert:

"(a) Any federal funds received by a school district under section 2001 of the American Rescue Plan Act, P.L. No. 117-2, shall be deposited into a separate account at the state or local level as determined by the state superintendent and shall only be expended for essential education services as defined in W.S. 21-13-309.1(b)(ii) created by this act, as modified by W.S. 21-13-309(m), and section 5 of this act.".

Page 69-after line 18

In the Senate standing committee amendment (HB0173SS001/AE) to this line, in subsection (c) created by that amendment, after "state superintendent shall" delete "audit" and insert "monitor"; after "2021-2022" delete "and" and insert ","; after "2022-2023" insert "and 2023-2024"; delete "The superintendent may expend federal funds that are not distributed to school districts to pay for the audit."; after "components in W.S. 21-13-309.1 and" insert "any funds"; delete "the audit reveals"; after

"noncompliance with this section" insert "is discovered". SCOTT

HB0173SW003/ADOPTED

(TO ENGROSSED COPY)

- Page 67-line 22 Delete "and" and insert ",",.
- Page 67-line 23 After "2023" insert "and 2023-2024".
- Page 69-line 5 Delete "and" and insert ",",.
- Page 69-line 6 After "2023" insert "and 2023-2024".
- Page 69-line 12 Delete "and" and insert ",,;" after "2023" insert "and 2023-2024".
- Page 69-after line 18 In the Senate standing committee amendment (HB0173SS001/AE) to this line, delete subsection (b) created by that amendment and insert:

"(b) The school foundation program amounts allocated to a school district under W.S. 21 13 309(p) shall only be expended for essential education services as defined in W.S. 21-13-309.1(b)(ii) created by this act. Except for meeting school district maintenance of effort and maintenance of equity requirements under federal law, a school district shall transfer to a separate reserve account at the end of school years 2020-2021, 2021-2022, 2022-2023 and 2023-2024 an amount equal to the expenditures from federal funds received by a school district under section 2001 of the American Rescue Plan Act, P.L. No. 117-2. The amount transferred to the separate reserve account shall not include any amount reduced from a district's school foundation program amount under section 5 of this act. Amounts transferred to the separate reserve account shall only be expended for purposes of essential education services.". ELLIS

3/31/2021 S COW:Passed

HB0173S2001/FAILED

(TO ENGROSSED COPY)

- Page 1-line 11 Delete the Senate standing committee amendment (HB0173SS001/AE) to this line; before "a sales" insert "implementing"; after "providing for" insert "distribution of the taxes;".
- Page 48-line 17 Delete the Senate standing committee amendment (HB0173SS001/AE) to this line; delete ", 39-14-801(b)(intro) and by".
- Page 48-lines 18 through 21 Delete the Senate standing committee amendment (HB0173SS001/AE) to these lines.
- Page 48-line 18 Delete "creating new paragraphs (v) and (vi),".
- Page 48-line 22 Delete the Senate standing committee amendment (HB0173SS001/AE) to this line.
- Pages 64 through 66 Delete the Senate standing committee amendment (HB0173SS001/AE) to these pages.
- Page 64-line 3 After "(j)" insert "Effective July 1, 2023,".

Page 64-line 10 Delete "The tax".

Page 64-lines 11 through 23 Delete entirely.

Page 65-line 17 After "(g)" insert "Effective July 1, 2023,".

Page 66-line 1 Delete "The tax".

Page 66-lines 2 through 14 Delete entirely.

Page 67-lines 1 through 6 Delete the Senate standing committee amendment (HB0173SS001/AE) to these lines.
SCOTT

ROLL CALL

Ayes: Senator(s) Case, Gierau, Pappas, Rothfuss, Schuler

Nays: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Perkins, Salazar, Scott, Steinmetz, Wasserburger

Ayes 5 **Nays** 25 **Excused** 0 **Absent** 0 **Conflicts** 0

4/1/2021 S 2nd Reading:Passed

HB0173S3001/FAILED (TO ENGROSSED COPY)

Page 48-after line 12 Delete the Senate standing committee amendment (HB0173SS001/AE) to this line. WASSERBURGER

HB0173S3002/ADOPTED (TO ENGROSSED COPY)

Page 1-line 3 After "model;" insert "providing for funding adjustments;".

Page 70-after line 19 Insert and renumber as necessary:

"Section 8. For the 2021-2022 and 2022-2023 school years, the foundation program amount provided to each school district under W.S. 21-13-309(p) shall be supplemented to the extent provided in this section. For purposes of this section the department shall calculate the foundation program amount provided under this act to each school district in the applicable school year. The department shall also calculate the federal funds provided under the American Rescue Plan Act, P.L. No. 117-2, to each school district for the components in W.S. 21-13-309.1 in the applicable school year. The department shall also calculate the foundation program amount and the federal funds provided under the American Rescue Plan Act, P.L. No. 117-2, to each school district in the 2020-2021 school year. To the extent that the foundation program amount plus the federal amount provided to a school district in the applicable school year, as calculated under this subsection, is less than ninety percent (90%) of the foundation program amount plus the federal amount provided to a school district in the 2020-2021 school year, as calculated under this subsection, the department shall increase a school district's foundation program amount under W.S. 21-13-309(p) by an amount equal to the difference. To calculate the foundation program amounts provided under this act and provided for the 2020-2021 school year, exclude amounts provided under W.S. 21-13-309(m)(v)(E)(I) through (V).".

Page 71-line 1 Delete "**Section 8.**" and insert "**Section 9.**".

Page 71-line 6 Delete "8" and insert "9". SCOTT

HB0173S3003/ADOPTED (TO ENGROSSED COPY)

Page 1-line 15 Before "and providing" insert "authorizing acceptance of funds;".

Page 70-after line 19 Insert and renumber as necessary:

"**Section 8.** Notwithstanding any conflicting provisions of any other law, consent is hereby given for the state superintendent of public instruction to accept federal funds for educational purposes authorized under the American Rescue Plan Act, P.L. No. 117-2, provided that the funds shall be distributed and expended consistent with federal requirements, this act and other relevant law.".

Page 71-line 1 Delete "**Section 8.**" and insert "**Section 9.**".

Page 71-line 6 Delete "and" and insert ","; after "8" insert "and 9". SCOTT

HB0173S3004/ADOPTED (TO ENGROSSED COPY)

Page 48-after line 12 In the Senate standing committee amendment (HB0173SS001/AE) to this line, in subsection (d) created by that amendment, after "shall revert to the school foundation program account." insert "Nothing in this subsection shall prevent a district from expending additional funds from other components of the education resource block model or other funding sources for teachers under paragraphs (c)(ii) through (vii) of this section.". WASSERBURGER

HB0173S3005/FAILED (TO ENGROSSED COPY)

Page 69-after line 18 In the Ellis committee of the whole amendment (HB0173SW003/AE) to this line, in subsection (b) created by that amendment, after "(b)" insert "Except as otherwise provided by this subsection,"; after "created by this act." insert "School foundation program amounts allocated to a school district under W.S. 21-13-309(p) may be expended for food services, provided that amounts may be expended only to reduce or eliminate any deficit associated with food services. It is the intent of the legislature that food services be a self-supporting program within each school district through fees and federal and other funding, and that expenditures for food services as provided by this subsection be limited to the school years specified in this subsection.". KOST

HB0173S3006/FAILED (TO ENGROSSED COPY)

Page 1-line 12 In the Senate standing committee amendment (HB0173SS001/AE) to this line, delete "amending class size requirements;".

Page 6-line 12 After "Calculated" insert "for grades kindergarten through three (3)".

Page 6-line 13 Delete the Senate standing committee amendment (HB0173SS001/AE) to this line; after "sixteen (16)" insert "and for grades four (4) and above as ADM divided by eighteen (18)".

Page 48-line 14 In the Senate standing committee amendment (HB0173SS001/AE) to this line, delete "21-9-101(d),".

Page 50-after line 14 Delete the Senate standing committee amendment (HB0173SS001/AE) to this line. WASSERBURGER

HB0173S3007/FAILED (TO ENGROSSED COPY)

Delete all previously adopted Senate amendments entirely. ROTHFUSS

4/2/2021 S 3rd Reading:Passed 22-5-3-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Bouchard, Case, Cooper, Dockstader, Driskill, French, Furphy, Hicks, Hutchings, James, Kinskey, Kolb, Landen, Mckeown, Nethercott, Perkins, Salazar, Scott, Steinmetz

Nays: Senator(s) Gierau, Kost, Pappas, Rothfuss, Wasserburger

Excused: Senator(s) Boner, Ellis, Schuler

Ayes 22 Nays 5 Excused 3 Absent 0 Conflicts 0

4/6/2021 H Received for Concurrence

4/6/2021 H Concur:Failed 19-38-3-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Bear, Blackburn, Clausen, Fortner, Gray, Hallinan, Haroldson, Heiner, Jennings, Knapp, Laursen, D, Neiman, Ottman, Simpson, Styvar, Washut, Wharff

Nays: Representative(s) Banks, Barlow, Brown, Burkhart, Clifford, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Harshman, Henderson, Hunt, Kinner, Larsen, L, Macguire, Martinez, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Paxton, Provenza, Roscoe, Schwartz, Sherwood, Sommers, Stith, Sweeney, Walters, Western, Wilson, Winter, Yin, Zwonitzer

Excused: Representative(s) Burt, Greear, Williams

Ayes 19 Nays 38 Excused 3 Absent 0 Conflicts 0

4/6/2021 H Appointed JCC01 Members

Representative(s) Barlow, Simpson, Sommers

4/6/2021 S Appointed JCC01 Members

Senator(s) Scott, Ellis, Steinmetz

4/7/2021 H postponed indefinitely