

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. \_\_\_\_\_

School finance recalibration.

Sponsored by: HDRAFT

A BILL

for

1 AN ACT relating to school finance; implementing 2010  
2 recalibration modifications to the Wyoming education  
3 resource block grant model; eliminating superfluous and  
4 fully executed provisions; establishing a monitoring  
5 process for model cost-based resourcing; imposing reporting  
6 requirements; providing an appropriation; and providing for  
7 an effective date.

8

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

10

11 **Section 1.** W.S. 21-2-202(a)(xxvi), (xxix) and (e),  
12 21-2-203(c)(viii) and by creating a new paragraph (ix),  
13 21-3-110(a)(xxiii) and (xxviii), 21-3-401,  
14 21-13-101(a)(xiv) and by creating a new paragraph (xix),

1 21-13-309(m)(iv)(B), (C), (v)(intro), (C), (D)(intro),  
2 (G)(II)(intro), (o) and by creating new subsections (u)  
3 through (z), 21-13-320(f), 21-13-321(d) and  
4 21-13-335(d)(intro) and (e) are amended to read:

5

6 **21-2-202. Duties of the state superintendent.**

7

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

10

11 (xxvi) Establish criteria and guidelines for the  
12 identification of ~~vocational~~career-vocational education  
13 courses by districts, for the computation of full-time  
14 equivalent (FTE) students participating in ~~vocation~~career-  
15 vocational education courses and for the determination of  
16 full-time equivalent (FTE) ~~vocational~~career-vocational  
17 education teachers, and provide for the annual collection  
18 of information necessary to implement and administer; ~~W.S.~~  
19 ~~21-13-309(m)(v)(D);~~

20

21 (xxix) By rule and regulation, provide for the  
22 reporting of district ~~vocational~~career-vocational  
23 education expenditures;

1

2 (e) In addition to paragraph (a)(i) of this section,  
3 the state superintendent shall promulgate rules and  
4 regulations governing the administration of the Wyoming  
5 education resource block grant model adopted by the Wyoming  
6 legislature as defined under W.S. 21-13-309, and governing  
7 the operation of the model in determining school district  
8 foundation program payments in accordance with chapter 13,  
9 article 3 of this title and other applicable law. As  
10 required under and in accordance with W.S. 21-13-309(z),  
11 the state superintendent shall through the department and  
12 in electronic format, make the block grant model available  
13 for public inspection. In addition, copies of the block  
14 grant model spreadsheets as administered under department  
15 rule and regulation shall be provided to school districts  
16 by the state superintendent for district use in district  
17 budgeting and in complying with mandatory financial  
18 reporting requirements imposed under W.S. 21-13-307(b) and  
19 by other provisions of law. Following adoption of any  
20 recalibration of or modification to the block grant model  
21 by the Wyoming legislature, and prior to computing the  
22 foundation program amount for each school district under  
23 W.S. 21-13-309(p) and determining the amount to be

1 distributed to a district under W.S. 21-13-311 or  
2 recaptured from a district subject to W.S. 21-13-102(b),  
3 the state superintendent shall certify to the legislature  
4 that the block grant model as enacted by the legislature is  
5 properly incorporated into the administration of the model  
6 for the appropriate school year of model application and is  
7 made available for public inspection. Technical  
8 corrections to model spreadsheets necessary for model  
9 administration between any session of the legislature shall  
10 be implemented by the state superintendent, shall be in  
11 accordance with procedures specified by rule and regulation  
12 filed with the secretary of state, ~~and~~ shall be reported to  
13 the legislature together with the associated fiscal and  
14 technical impact of the correction, and shall be  
15 incorporated into the electronic version of the model  
16 available for public inspection. As used in this  
17 subsection, "technical corrections to model spreadsheets"  
18 means corrections necessary to ensure model operation and  
19 current school year district payments are in accordance  
20 with law and the model is properly computing school  
21 foundation program payments to school districts as required  
22 by law. Notwithstanding W.S. 16-3-114(c), no judicial  
23 review of rules promulgated and adopted under this

1 subsection shall hold unlawful or set aside action of the  
2 state superintendent in promulgating or adopting rules  
3 unless the rules are by clear and convincing evidence,  
4 shown to exceed statutory authority.

5

6 **21-2-203. School district data collection and funding**  
7 **model administration; duties and responsibilities**  
8 **specified; data advisory committee; school district**  
9 **compliance.**

10

11 (c) The duties of the department are, in accordance  
12 with rules promulgated by the state superintendent, to:

13

14 (viii) Assist the state superintendent in  
15 implementing W.S. 21-13-309(m)(v)(D) and assist districts  
16 with computations necessary for reporting student  
17 ~~vocational~~career-vocational education participation and  
18 ~~vocational~~career-vocational education instruction  
19 information;~~;~~

20

21 (ix) Pursuant to W.S. 21-2-202(e) and  
22 21-13-309(z), make the education resource block grant model  
23 available for public inspection.

1

2

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

3

4

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

5

6

7

(xxiii) Implement and administer the reading screening program for students in ~~grades one (1) and two (2)~~ kindergarten through grade five (5) as required by W.S. 21-3-401;

8

9

10

(xxviii) Annually report to the state superintendent on district expenditures for ~~vocational~~ career-vocational education programs, broken down by school, and submitted in a manner and form required by rule and regulation of the state superintendent;

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12

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14

15

16

**21-3-401. Reading assessment and intervention.**

17

18

19

20

(a) Each school district shall design and implement a reading screening program that measures student reading progress in ~~grades one (1) and two (2)~~ kindergarten through grade five (5). The screening program shall ~~be designed by~~

21

22

1 ~~each school district~~ include a reading assessment plan  
2 using a statewide, uniform screening instrument prescribed  
3 by the department of education, which is administered to  
4 all students in kindergarten through grade five (5), with  
5 standardized measures providing statewide longitudinal data  
6 and providing diagnostic capability for monitoring and  
7 measuring reading progress. The program shall also include  
8 a plan for implementation of research based core curricula  
9 aligned to the statewide educational program standards and  
10 ~~shall specifically screen for student performance in~~  
11 ~~reading at grades one (1) and two (2)~~ evidenced based  
12 interventions to meet the needs of all students.

13

14 (b) Students not ~~screening successfully~~ proficient on  
15 the initial screening instrument administered under  
16 subsection (a) of this section shall be assessed by a  
17 second screening instrument prescribed by the department to  
18 identify the specific reading problem and determine its  
19 nature. Students not showing appropriate reading competence  
20 under this subsection shall be placed on an individualized  
21 reading plan to remedy the reading related difficulty  
22 utilizing an appropriate ~~research~~ evidence based  
23 intervention program. For students under an individualized

1 education program (IEP) which addresses reading  
2 difficulties, the IEP shall be deemed sufficient to meet  
3 the requirements of this subsection and no additional plan  
4 shall be required.

5

6 ~~(c) For school year 2002-2003 and each school year~~  
7 ~~thereafter,~~ Each district shall annually report to the  
8 department of education on the progress toward reaching the  
9 goal of eighty-five percent (85%) of ~~identified~~ all  
10 students being reading proficient. The report shall include  
11 longitudinal data on all students in ~~grades one (1) through~~  
12 ~~four (4) identified for intervention~~ kindergarten through  
13 grade five (5). If the goal is not reached, the ~~district~~  
14 ~~shall report the reason the goal was not reached and the~~  
15 ~~steps being taken by the district to solve the problem~~  
16 department shall prescribe implementation of a research  
17 based comprehensive core reading program and evidence based  
18 interventions for that district.

19

20 **21-13-101. Definitions.**

21

22 (a) As used in this chapter:

23

1           (xiv) "Education resource block grant model"  
2 means the block grant model for Wyoming school finance  
3 contained within the enumeration of model components  
4 summarizing and executing recommendations within the 2005  
5 2010 cost of education study, as ~~referenced in paragraph~~  
6 ~~(xvii) of this subsection~~ specified in W.S. 21-13-309(w),  
7 and model spreadsheets provided by the consultant  
8 performing the ~~2005-2010~~ 2010 cost of education study ~~referenced~~  
9 ~~in paragraph (xviii) of this subsection~~ pursuant to W.S.  
10 21-13-309(z), all of which are enacted into law under W.S.  
11 21-13-309(y) and are ~~on file with~~ maintained and made  
12 available for public inspection by the ~~secretary of state~~  
13 state superintendent, and as may be subsequently modified  
14 by the legislature prior to future model recalibration  
15 required under W.S. 21-13-309(t);

16

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

20

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

23

1           (m) In determining the amount to be included in the  
2 foundation program for each district, the state  
3 superintendent shall:  
4

5           (iv) Based upon reports from each district on  
6 schools operating within that district for the current  
7 school year and on grade configurations contained within  
8 each reported school during that school year, compute the  
9 average daily membership (ADM) for each reported school and  
10 each grade within each reported school in accordance with  
11 identified grade configurations subject to the following:  
12

13           (B) For each school year, ~~2006-2007,~~ the  
14 configuration of grades for each school shall be based upon  
15 the ADM reported for each grade in which students were  
16 enrolled for the ~~2005-2006~~ immediately preceding school  
17 year;  
18

19           (C) ~~After the 2006-2007 school year, and~~  
20 Excluding charter schools established under W.S. 21-3-301  
21 through 21-3-314, any modification to the configuration of  
22 grades in which students are enrolled during any school  
23 year such that the configuration differs from that in which

1 students were enrolled during the ~~2005-2006~~ immediately  
2 preceding school year shall be documented by the district  
3 within reports submitted under this subsection and shall  
4 require approval by the state superintendent. Approval by  
5 the state superintendent under this subparagraph shall be  
6 based upon appropriate delivery of the required educational  
7 program, the cost effectiveness of the modified grade  
8 configuration for the delivery of adequate educational  
9 services to students and any extraordinary circumstances  
10 related to the safe and efficient delivery of the education  
11 program to students. This subparagraph relates only to the  
12 configuration of schools for application to the education  
13 resource block grant model and not to the authority of a  
14 district to configure grade levels at each of its schools.

15

16 (v) Based upon ADM computations and identified  
17 school configurations within each district pursuant to  
18 paragraph (iv) of this subsection, compute the foundation  
19 program amount for each district as prescribed by the  
20 education resource block grant model adopted by the Wyoming  
21 legislature as defined under W.S. ~~21-13-103(a)(xiv)~~  
22 21-13-101(a)(xiv), as contained within the spreadsheets and  
23 accompanying reports referenced under ~~W.S.~~

1 ~~21-13-101(a)(xvii) and (xviii) and on file with the~~  
2 ~~secretary of state pursuant to W.S. 21-13-101(c)~~

3 subsections (y) and (z) of this section. The following  
4 criteria shall be used by the state superintendent in the  
5 administration of the education resource block grant model:

6  
7 (C) Salaries for all school and district  
8 level staffing categories, including teachers, principals  
9 and assistant principals, central office administrators,  
10 secretarial and clerical staff, operations and maintenance  
11 staff and aides and media technicians, shall be based upon  
12 average statewide salary levels calibrated for school year  
13 2005-2006 for each staffing category, adjusted under  
14 subsection (o) of this section, including the experience,  
15 education and responsibility level as appropriate and as  
16 computed for each staffing category. The statewide average  
17 for each staffing category shall be adjusted for each  
18 district based upon the district experience, education and  
19 responsibility level relative to the statewide average for  
20 that category. District experience, education and  
21 responsibility level by appropriate staffing category shall  
22 be updated each year such that district adjustments reflect  
23 the prior school year staffing information. The district

1 adjusted average salary for each staffing category shall be  
2 further adjusted for regional cost differences as measured  
3 by the greater of the hedonic wage index or the Wyoming  
4 cost-of-living index computed by the division of economic  
5 analysis, department of administration and information,  
6 with a minimum of one hundred (100) index value, as  
7 prescribed by the education resource block grant model. For  
8 purposes of the education resource block grant model, the  
9 version of the Wyoming cost-of-living index used by the  
10 division shall be based upon the unrecalibrated housing  
11 cost index weights unless otherwise determined by the  
12 legislature based upon recommendation of the joint  
13 education interim committee. In addition, the version of  
14 the Wyoming cost-of-living index applied under this  
15 subparagraph for any school year shall be the average of  
16 the six (6) consecutive semi-annual index reports completed  
17 by January 1 of the immediately preceding school year;

18

19 (D) ~~Vocational~~ Career-vocational education  
20 computations within the education resource block grant  
21 model shall be based upon:

22

1 (G) Amounts within the block grant model  
2 for maintenance and operations shall be based upon actual  
3 gross square footage of school buildings and facilities  
4 subject to the following:

5  
6 (II) Actual gross square footage of  
7 education space shall be the gross square footage  
8 prescribed by statewide building adequacy standards  
9 promulgated pursuant to W.S. 21-15-115. Education space  
10 capacity in excess of ~~the following specified maximum~~  
11 ~~percentages of~~ one hundred fifteen percent (115%) of the  
12 standard space level shall not be included in actual gross  
13 square footage computations under this subdivision. ~~+~~

14  
15 (o) To the extent specifically provided within the  
16 school foundation program budget as enacted by the  
17 legislature, and between periods of model recalibration  
18 required under subsection (t) of this section, the amount  
19 computed for each district under subsection (m) of this  
20 section excluding those amounts specified under  
21 subparagraphs (m)(v)(E) and (F) and paragraph (y)(xxviii)  
22 of this section, shall be adjusted to provide for the  
23 effects of inflation. The adjustment under this subsection

1 shall not be applied until the expiration of the school  
2 year immediately following the first school year of  
3 application of the recalibrated model, and shall be  
4 adjusted on a cumulative basis each school year thereafter  
5 and until the first school year of application of a  
6 subsequent model recalibration. Following analysis of  
7 information reported under subsection (u) of this section,  
8 the joint appropriations committee shall submit a  
9 recommendation to the legislature and the governor not  
10 later than November 1 of each applicable year on an  
11 external cost adjustment for purposes of this subsection.  
12

13 (u) To ensure model components specified under  
14 subsection (y) of this section remain resourced at cost-  
15 based levels between periods of model recalibration  
16 required under subsection (t) of this section, and prior to  
17 adjustment for the effects of inflation for any school year  
18 under subsection (o) of this section, the joint education  
19 interim committee shall annually receive and review reports  
20 specified by this subsection and report to the joint  
21 appropriations interim committee as required by this  
22 subsection. The legislative service office shall assemble  
23 information necessary to develop reports using data

1 maintained by the department of education and methodology  
2 approved by consultants performing the 2010 cost of  
3 education study. Commencing August 1, 2011, and each  
4 subsequent August 1 excluding the first school year of  
5 application of any model recalibration performed under  
6 subsection (t) of this section, the information and  
7 analysis assembled by the legislative service office under  
8 this subsection shall be reported to the joint education  
9 interim committee. Following review of and deliberation on  
10 the report and not later than October 1 of the applicable  
11 school year, the joint education interim committee shall  
12 submit recommendations to the joint appropriations interim  
13 committee. Report recommendations shall be used by the  
14 joint appropriations interim committee in its determination  
15 of legislative recommendation on model adjustment under  
16 subsection (o) of this section. Information assembled and  
17 reported to the joint education interim committee under  
18 this subsection shall at minimum include:

19

20 (i) Total model funding levels compared to  
21 inflation-adjusted cost estimates;

22

- 1           (ii) Model salary levels, both teacher and
- 2 nonteacher, compared to comparable salary levels targeted
- 3 pursuant to established methodology;
- 4
- 5           (iii) In addition to salary levels under
- 6 paragraph (ii) of this subsection and specific to teachers:
- 7
- 8                   (A) Teacher turnover and absenteeism;
- 9
- 10                   (B) Persistent teacher shortages by subject
- 11 area and by school district;
- 12
- 13                   (C) Teaching applicant numbers and turnover
- 14 statistics;
- 15
- 16                   (D) Teacher quality measures.
- 17
- 18           (w) The cost basis of the Wyoming education resource
- 19 block grant model as contained in the 2010 cost of
- 20 education study is comprised of the components resourced in
- 21 accordance with this subsection:
- 22

1           (i) Full-day kindergarten: Funded for all  
2 elementary schools.

3  
4           (ii) Class size: 15 for Kindergarten through  
5                                   grade 3;  
6                                   25 for grades 4 through 12.

7  
8           (iii) Core teachers: Kindergarten through  
9                                   grade 3 ADM divided by 15;  
10                                  Grades 4 through 12 ADM  
11                                  divided by 25.

12  
13           (iv) Specialist teachers: Elementary and  
14                                   middle schools: 20% of core  
15                                   teachers;  
16                                   High schools: 33% of core  
17                                   teachers.

18  
19           (v) Minimum teachers: 3.65 for elementary  
20                                   schools with greater than 49  
21                                   ADM;  
22                                   7.0 for middle schools with  
23                                   greater than 49 ADM;

1                                   7.0 for high schools with  
 2                                   greater than 49 ADM;  
 3                                   7.0 for secondary schools,  
 4                                   grades 6 to 12, with greater  
 5                                   than 49 ADM.

6  
 7                   (vi) Instructional facilitators: 1.5 in 288 ADM  
 8                   prototypical elementary  
 9                   school;  
 10                   1.5 in 315 ADM prototypical  
 11                   middle and high school.

12  
 13                   (vii) Tutors: 1.0 FTE teacher position for  
 14                   every 100 at-risk students  
 15                   with a minimum of 1.0 FTE  
 16                   teacher position for  
 17                   prototypical elementary,  
 18                   middle and high schools,  
 19                   resourced at the highest-  
 20                   grade prototype using total  
 21                   school ADM.

22

1           (viii) ELL: 1.0 FTE teacher position for  
2   every 100 ELL students.

3  
4           (ix) Extended day: 0.25 FTE teacher position for  
5   every 30 at-risk students.

6  
7           (x) Summer school: 0.25 FTE teacher position for  
8   every 30 at-risk students.

9  
10          (xi) Substitutes: Additional 5 percent of ADM  
11   generated core, specialist,  
12   tutor, instructional  
13   facilitator, summer school  
14   and extended day teacher  
15   positions at \$99.75/day plus  
16   7.65% for benefits.

17  
18          (xii) Supervisory aides: 2.0 for 288 ADM  
19   prototypical elementary  
20   school;  
21   2.0 for 315 ADM prototypical  
22   middle school;

1                   5.0 for 630 ADM prototypical  
 2                   high school;  
 3                   Resourced at the highest-  
 4                   grade prototype using total  
 5                   school ADM.

7                   (xiii) Pupil support: 1.0 FTE teacher position  
 8                   for every 100 at-risk  
 9                   students with a minimum of 1  
 10                   FTE teacher position for  
 11                   prototypical elementary,  
 12                   middle and secondary schools,  
 13                   resourced at the highest-  
 14                   grade prototype using total  
 15                   school ADM;  
 16                   1.0 FTE guidance counselor  
 17                   position for every 250  
 18                   secondary ADM.

20                   (xiv) Principal: 1.0 for all schools down to  
 21                   96 ADM elementary and 105 ADM  
 22                   middle and high, prorated by  
 23                   ADM below these ADM levels.

1

2

(xv) Assistant principal: Begin phasing in

3

1.0 assistant principal

4

position for every 288

5

elementary school ADM

6

beginning at 289 ADM;

7

Begin phasing in 1.0

8

assistant principal position

9

for every 315 middle and high

10

school ADM beginning at 316

11

ADM;

12

Resource at the highest-grade

13

prototype using total school

14

ADM.

15

16

(xvi) Secretary: 1.0 for all schools down to

17

96 ADM elementary and 105 ADM

18

middle and high, prorated by

19

ADM below these ADM levels;

20

1.0 for 105 to 315 ADM

21

prototypical middle school,

22

prorated down below 105 ADM

1                   and prorated up for 316 ADM  
 2                   and above;  
 3                   1.0 for 105 to 630  
 4                   prototypical high school ADM,  
 5                   prorated down below 105 ADM  
 6                   and prorated up for 631 ADM  
 7                   and above;  
 8                   Resource at the highest-grade  
 9                   prototype using total school  
 10                  ADM.

11  
 12                  (xvii) Clerical: 1.0 for 288 ADM prototypical  
 13                   elementary school;  
 14                   1.0 for 315 ADM prototypical  
 15                   middle school;  
 16                   2.0 for 315 ADM prototypical  
 17                   high school;  
 18                   All FTE positions prorated up  
 19                   and down from prototypical  
 20                   level, resourced at the  
 21                   highest-grade prototype using  
 22                   total school ADM.

23

1 (xviii) Books/Ins. Materials: \$140.00/elementary

2 and middle school ADM;

3 \$175.00/high school ADM.

4

5 (xix) Computers, equipment: \$250.00/ADM.

6

7 (xx) Special education: 100% state reimbursement

8 of prior year actual

9 expenditures computed in

10 accordance with W.S.

11 21-13-321, less amounts

12 received by the district

13 under federal Title VI(b) for

14 the same prior year.

15

16 (xxi) Gifted: \$29.19/ADM.

17

18 (xxii) Career-vocational education: \$9027.27/FTE

19 career-vocational education

20 teacher for equipment and

21 supplies.

22

23 (xxiii) Student activities: \$291.90/ADM.

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(xxiv) Professional development: In addition to instructional facilitators/coaches resources under paragraph (vi) of this subsection: 10 pupil free days as resourced in teacher salary under paragraph (xxxvii) of this subsection; Plus \$116.76/ADM for trainers.

(xxv) Assessment: \$37.70/ADM, which amount is not subject to any adjustment made pursuant to subsection (o) of this section.

(xxvi) Central office staff: District ADM 500 and below: 3 administrative and 3 secretarial;

1 District ADM from 500 to  
2 1000:  
3 Proration of an additional  
4 administrative and  
5 secretarial position;  
6 District ADM at 1000:  
7 4 administrative and 4  
8 secretarial;  
9 adjusted upwards to 3500 ADM.  
10 District ADM from 1000 to  
11 3500 ADM:  
12 Proration of additional  
13 administrative and  
14 secretarial positions;  
15 District ADM at 3500:  
16 7 administrative and 9  
17 secretarial, prorated up for  
18 districts with ADM greater  
19 than 3500.

20

21 (xxvii) Librarian: District ADM 300 and below:  
22 1.0 FTE librarian position.  
23

1 District ADM from 300 to 630:  
 2 1.0 FTE librarian position  
 3 plus proration of additional  
 4 1.0 FTE up to 630 district  
 5 ADM.

6 District ADM above 630:  
 7 1.0 FTE librarian position  
 8 for every 288 district  
 9 elementary ADM;

10 1.0 FTE librarian position  
 11 for every 630 district middle  
 12 and high school ADM;

13 Minimum of 2.0 FTE librarian  
 14 positions.

15  
 16 (xxviii) Library Clerk: District ADM 630 and  
 17 below:

18 1.0 FTE library clerk  
 19 position.

20 District ADM above 630:  
 21 2.0 FTE library clerk  
 22 positions for every 630

1                   district middle and high  
 2                   school ADM;  
 3                   Minimum of 1.0 FTE library  
 4                   clerk position.

5  
 6                   (xxix) Computer technician: 1.0 FTE position  
 7                   for every 1,000 total  
 8                   district ADM, kindergarten  
 9                   through grade 12, prorated up  
 10                   and down;  
 11                   Minimum of 0.5 FTE computer  
 12                   technician position.

13  
 14                   (xxx) Central office nonpersonnel expenses:  
 15                   \$350.28/ADM.

16  
 17                   (xxxi) Transportation: 100% state reimbursement  
 18                   of prior year actual  
 19                   expenditures computed in  
 20                   accordance with W.S.  
 21                   21-13-320.

22

1                   (xxxii) Food services: Assumed to be self  
2   supporting program.  
3  
4                   (xxxiii) Maintenance and operations: Based on  
5   ADM, gross square footage,  
6   number of buildings and  
7   classrooms, age of buildings  
8   and site acreage for  
9   custodians, maintenance  
10    workers and groundskeepers,  
11    computed in accordance with  
12    the 2010 cost of education  
13    study. Groundskeeper FTE  
14    computations shall be based  
15    upon the lesser of the actual  
16    site acreage on which the  
17    facility is situated as  
18    defined by department rule  
19    and regulation, or the school  
20    facility guidelines and site  
21    acreages established by the  
22    school facilities commission  
23    under W.S. 21-15-114.

1                   Acreages acquired on or prior  
 2                   to July 1, 1997, and acreages  
 3                   acquired after July 1, 1997  
 4                   through an exchange with  
 5                   another governmental entity  
 6                   if the acreages involved in  
 7                   the exchange were originally  
 8                   acquired by the district and  
 9                   the governmental entity on or  
 10                   prior to July 1, 1997, shall  
 11                   not be subject to  
 12                   groundskeeper FTE computation  
 13                   limitations.

14  
 15                   (xxxiv) M & O supplies: \$0.64 per 110% of gross  
 16                   square feet of authorized  
 17                   education space.

18  
 19                   (xxxv) Utilities: Actual 2009-2010 expenditures  
 20                   by district. For additional  
 21                   school buildings added to  
 22                   district building inventories  
 23                   after 2009-2010, 100% of

1                   2009-2010 district average  
 2                   utility expenditures per  
 3                   gross square feet for  
 4                   district school buildings  
 5                   multiplied by the additional  
 6                   authorized educational square  
 7                   footage.

8

9                   (xxxvi) School adjustments: For all schools with  
 10                   49 or fewer ADM, resource with  
 11                   1.0 assistant principal  
 12                   position plus 1.0 FTE teacher  
 13                   position for every 7 students  
 14                   for all staff;  
 15                   For a K-6 school, resource as  
 16                   elementary school;  
 17                   For a 5-8 or 6/7-9 school,  
 18                   resource as middle school;  
 19                   For a K-7, K-8 or K-9 school,  
 20                   resource K-5 teachers as  
 21                   elementary school and  
 22                   remaining teachers as middle  
 23                   school, and resource all

1                   other staff resources at the  
2                   highest-grade prototype;  
3                   For K-12 school, resource K-5  
4                   teachers as elementary, 6-8  
5                   teachers as middle and 9-12  
6                   teachers as high school, and  
7                   resource all other staff  
8                   resources at the highest-  
9                   grade prototype;  
10                   For 6/7-12 school, resource  
11                   6-8 teachers middle school  
12                   and 9-12 teachers as high  
13                   school, and resource all  
14                   other staff resources at the  
15                   highest-grade prototype.

17                   (xxxvii) Average Salaries:

18	<u>Teachers* (includes 10 pupil free days)</u>	<u>\$ 50,662.03</u>
19	<u>Principals</u>	<u>\$ 83,072.43</u>
20	<u>Assistant principals</u>	<u>\$ 69,702.30</u>
21	<u>Superintendents</u>	<u>\$106,892.58</u>
22	<u>Assistant superintendents</u>	<u>\$ 85,514.06</u>
23	<u>Business managers</u>	<u>\$ 72,079.04</u>

1 Aides \$ 18,445.82

2 Computer technicians \$ 43,500.93

3 Central office secretaries \$ 34,885.39

4 School secretaries \$ 32,409.86

5 School clerical staff/library clerks \$ 24,930.49

6 Maintenance and operations:

7 Maintenance workers/groundskeepers \$ 35,775.69

8 Custodians \$ 29,843.38

9

10 \*"Teachers" under this paragraph include core and  
11 specialist teachers, instructional facilitators, tutors,  
12 ELL teachers, extended day teachers, summer school  
13 teachers, pupil support staff, secondary school guidance  
14 counselors and librarians.

15

16 (xxxviii) Benefits: 21.1% plus health as  
17 computed under subparagraph  
18 (m) (v) (F) of this section.

19

20 (xxxix) Regional cost adjustment:  
21 Notwithstanding subparagraph  
22 (m) (v) (C) of this section,  
23 each district adjusted average

1                   salary for each staffing  
 2                   category shall be adjusted for  
 3                   regional cost differences by  
 4                   the hedonic wage index  
 5                   contained in the 2010 cost of  
 6                   education study.

7  
 8                   (xl) External cost adjustment: Analysis of  
 9                   appropriate cost indices for  
 10                   professional and  
 11                   nonprofessional labor, energy  
 12                   and materials.

13  
 14                   (y) Notwithstanding subsection (u) of this section,  
 15                   the Wyoming education resource block grant model components  
 16                   and the resourcing for those components, as enacted by the  
 17                   legislature, shall be as follows:

18  
 19                   (i) Full-day kindergarten: Funded for all  
 20                   elementary schools.

21  
 22                   (ii) Class size: 16 for grades Kindergarten  
 23                   through 5;

1 21 for grades 6 through 12.

2

3 (iii) Core teachers: Elementary school ADM

4 divided by 16;

5 Middle school ADM divided by

6 21;

7 High school ADM divided by

8 21.

9

10 (iv) Specialist teachers: Elementary schools:

11 20% of core teachers;

12 Middle and high schools: 33%

13 of core teachers.

14

15 (v) Minimum teachers: 6.0 for elementary

16 schools with greater than 49

17 ADM;

18 8.0 for middle schools with

19 greater than 49 ADM;

20 10.0 for high schools with

21 greater than 49 ADM.

22

- 1                   (vi) Instructional facilitators: Computed in  
2   accordance with W.S.  
3   21-13-335.  
4
  
- 5                   (vii) Tutors: 1.0 FTE teacher position for  
6   every 100 at-risk students  
7   with a minimum of 1.0 FTE  
8   teacher position for  
9   prototypical elementary,  
10    middle and high schools,  
11    resourced at the highest-  
12    grade prototype using the  
13    total school ADM.  
14
  
- 15                   (viii) ELL: 1.0 FTE teacher position for  
16   every 100 ELL students.  
17
  
- 18                   (ix) Extended day: Computed in accordance with  
19   W.S. 21-13-334.  
20
  
- 21                   (x) Summer school: Computed in accordance with  
22   W.S. 21-13-334.  
23

1                   (xi) Alternative schools: 1.0 assistant  
 2                                   principal position plus 1.0  
 3                                   FTE teacher position for  
 4                                   every 7 ADM.

6                   (xii) Substitutes: Additional 5% of ADM  
 7                                   generated core, specialist,  
 8                                   tutor, instructional  
 9                                   facilitator, summer school  
 10                                  and extended day teacher  
 11                                  positions at \$99.25/day plus  
 12                                  7.65% for benefits.

14                   (xiii) Supervisory aides: 2.0 for 288 ADM  
 15                                  prototypical elementary  
 16                                  school;  
 17                                  2.0 for 315 ADM prototypical  
 18                                  middle school;  
 19                                  5.0 for 630 ADM prototypical  
 20                                  high school;  
 21                                  Resourced at the highest-  
 22                                  grade prototype using total  
 23                                  school ADM.

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(xiv) Pupil support: 1.0 FTE teacher position  
for every 100 at-risk  
students with a minimum of  
1.0 FTE teacher position for  
prototypical elementary,  
middle and secondary schools  
resourced at highest-grade  
prototype using total school  
ADM;

1.0 FTE guidance counselor  
position for every 250  
secondary ADM.

(xv) Librarian: 1.0 for each prototypical  
elementary;  
1.0 for 105 to 630 ADM  
prototypical middle and high  
school, prorated down below  
105 ADM and prorated up for  
631 ADM and above, resourced

1 at highest-grade prototype  
 2 using total school ADM.

3  
 4 (xvi) Library media tech: 1.0 for each 315  
 5 ADM prototypical middle and  
 6 high school, prorated up and  
 7 down.

8  
 9 (xvii) Principal: 1.0 for all schools down to  
 10 96 ADM elementary and 105 ADM  
 11 middle and high, prorated by  
 12 ADM below these ADM levels.

13  
 14 (xviii) Assistant principal: Begin phasing in  
 15 1.0 assistant principal  
 16 position for every 288  
 17 elementary school ADM  
 18 beginning at 289 ADM;  
 19 Begin phasing in 1.0  
 20 assistant principal position  
 21 for every 315 middle and high  
 22 school ADM beginning at 316  
 23 ADM;

1                                   Resource at the highest-grade  
2                                   prototype using total school  
3                                   ADM.

4

5                   (xix) Secretary: 1.0 for all schools down to  
6                                   96 ADM elementary and 105 ADM  
7                                   middle and high, prorated by  
8                                   ADM below these ADM levels;  
9                                   1.0 for 105 to 315 ADM  
10                                  prototypical middle school,  
11                                  prorated down below 105 ADM  
12                                  and prorated up for 316 ADM  
13                                  and above;  
14                                  1.0 for 105 to 630  
15                                  prototypical high school ADM,  
16                                  prorated down below 105 ADM  
17                                  and prorated up for 631 ADM  
18                                  and above;  
19                                  Resource at the highest-grade  
20                                  prototype using total school  
21                                  ADM.

22

1                   (xx) Clerical: 1.0 for 288 ADM prototypical  
 2                                   elementary school;  
 3                                   1.0 for 315 ADM prototypical  
 4                                   middle school;  
 5                                   2.0 for 315 ADM prototypical  
 6                                   high school;  
 7                                   All FTE positions prorated up  
 8                                   and down from prototypical  
 9                                   level, resourced at the  
 10                                   highest-grade prototype using  
 11                                   total school ADM.

13                   (xxi) Books/Ins. Materials: \$333.43/elementary  
 14                                   and middle school ADM;  
 15                                   \$408.26/high school ADM.

17                   (xxii) Computers, equipment: \$333.43/ADM.

19                   (xxiii) Special education: 100% state  
 20                                   reimbursement of prior year  
 21                                   actual expenditures computed  
 22                                   in accordance with W.S.  
 23                                   21-13-321.

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(xxiv) Gifted: \$29.19/ADM.

(xxv) Vocational education: 0.29 times FTE  
vocational education ADM;  
\$9027.27/FTE vocational  
education teacher for  
equipment and supplies.

(xxvi) Student activities: Resource under the  
following school  
configurations:  
K-5 elementary school:  
\$24.29/ADM;  
6-8 middle school: From  
\$799.01/ADM at 1 ADM school  
to \$206.44/ADM for 1260 ADM  
school;  
9-12 high school: From  
\$2059.69/ADM for 1 ADM school  
to \$607.15/ADM for 1260 ADM  
school;

1 Alternative school:  
 2 \$291.90/ADM.

3  
 4 (xxvii) Professional development: 10 pupil free  
 5 days as resourced in teacher  
 6 salary under paragraph  
 7 (xxxvii) of this subsection;  
 8 Plus \$116.76/ADM for  
 9 trainers.

10  
 11 (xxviii) Assessment: \$37.70/ADM, which amount  
 12 is not subject to any  
 13 adjustment made pursuant to  
 14 subsection (o) of this  
 15 section.

16  
 17 (xxix) Central office staff: District ADM 500  
 18 and below:  
 19 3 administrative and 3  
 20 secretarial;  
 21  
 22 District ADM from 500 to  
 23 1000:

1                   Proration of an additional  
2                   administrative and  
3                   secretarial position;  
4                   District ADM at 1000:  
5                   4 administrative and 4  
6                   secretarial;  
7                   adjusted upwards to 3500 ADM.  
8                   District ADM from 1000 to  
9                   3500 ADM:  
10                   Proration of additional  
11                   administrative and  
12                   secretarial positions;  
13                   District ADM at 3500:  
14                   8 administrative and 10  
15                   secretarial;  
16                   prorated up for districts  
17                   with ADM greater than 3500.

18  
19                   (xxx) Central office nonpersonnel expenses:  
20                   \$350.28/ADM.

21  
22                   (xxxi) Transportation: 100% state reimbursement  
23                   of prior year actual

1 expenditures computed in  
2 accordance with W.S.  
3 21-13-320.

4  
5 (xxxii) Food services: Assumed to be self  
6 supporting program.

7  
8 (xxxiii) Maintenance and operations: Based on  
9 ADM, gross square footage,  
10 number of buildings and  
11 classrooms, age of buildings  
12 and site acreage for  
13 custodians, maintenance  
14 workers and groundskeepers,  
15 computed in accordance with  
16 the 2010 cost of education  
17 study. Groundskeeper FTE  
18 computations shall be based  
19 upon the lesser of the actual  
20 site acreage on which the  
21 facility is situated as  
22 defined by department rule  
23 and regulation, or the school

1 facility guidelines and site  
 2 acreages established by the  
 3 school facilities commission  
 4 under W.S. 21-15-114.  
 5 Acreages acquired on or prior  
 6 to July 1, 1997, and acreages  
 7 acquired after July 1, 1997  
 8 through an exchange with  
 9 another governmental entity  
 10 if the acreages involved in  
 11 the exchange were originally  
 12 acquired by the district and  
 13 the governmental entity on or  
 14 prior to July 1, 1997, shall  
 15 not be subject to  
 16 groundskeeper FTE computation  
 17 limitations.

18  
 19 (xxxiv) M & O supplies: \$0.64 per 110% of gross  
 20 square feet of authorized  
 21 education space.  
 22

1                   (xxxv) Utilities: Actual 2004-2005 expenditures  
2   by district.

3

4                   (xxxvi) School adjustments: For all schools  
5   with 49 or fewer ADM,  
6   resource with 1.0 assistant  
7   principal position plus 1.0  
8   FTE teacher position for  
9   every 7 students for all  
10    staff;

11                   For all schools with 49 or  
12    fewer ADM within a district  
13    comprised solely of schools  
14    with 49 or fewer ADM, resource  
15    with 1 assistant principal  
16    positions plus 1.5 FTE teacher  
17    positions for every 7 students  
18    for all staff;

19                   For a K-6 school, resource as  
20    elementary school;

21                   For a 5-8 or 6/7-9 school,  
22    resource as middle school;

1                   For a K-7, K-8 or K-9 school,  
2                   resource K-5 teachers as  
3                   elementary school and  
4                   remaining teachers as middle  
5                   school, and resource all  
6                   other staff resources at the  
7                   highest-grade prototype;  
8                   For K-12 school, resource K-5  
9                   teachers as elementary, 6-8  
10                   teachers as middle and 9-12  
11                   as high school, and resource  
12                   all other staff resources at  
13                   the highest-grade prototype;  
14                   For 6/7-12 school, resource  
15                   6-8 teachers middle school  
16                   and 9-12 teachers as high  
17                   school, and resource all  
18                   other staff resources at the  
19                   highest-grade prototype.

21                   (xxxvii) Average Salaries:

22                   Teachers\* (includes 10 pupil free days) \$ 50,662.03

23                   Principals   \$ 83,072.43

1	<u>Assistant principals</u>	\$ 69,702.30
2	<u>Superintendents</u>	\$106,892.58
3	<u>Assistant superintendents</u>	\$ 85,514.06
4	<u>Business managers</u>	\$ 72,079.04
5	<u>Aides</u>	\$ 18,445.82
6	<u>Library media technicians</u>	\$ 43,500.93
7	<u>Central office secretaries</u>	\$ 34,885.39
8	<u>School secretaries</u>	\$ 32,409.86
9	<u>School clerical staff</u>	\$ 24,930.49
10	<u>Maintenance and operations:</u>	
11	<u>Maintenance workers/groundskeepers</u>	\$ 35,775.69
12	<u>Custodians</u>	\$ 29,843.38

13

14 \*"Teachers" under this paragraph include core and  
 15 specialist teachers, instructional facilitators, tutors,  
 16 ELL teachers, extended day teachers, summer school  
 17 teachers, pupil support staff, secondary school guidance  
 18 counselors and librarians.

19

20 (xxxviii) Benefits: 21.10% plus health as  
 21 computed under subparagraph  
 22 (m) (v) (F) of this section.

23

1                   (xxxix) Regional cost adjustment: As            computed  
 2   under subparagraph (m)(v)(C)  
 3   of this section.

4  
 5                   (xl) External cost adjustment:        As        determined  
 6   under subsection (o) of this  
 7   section.

8  
 9                   (z) Model spreadsheets provided by consultants  
 10 performing the 2010 cost of education study and  
 11 implementing the recommendations contained within the 2010  
 12 study, as enacted into law under subsection (y) of this  
 13 section, shall be made available for public inspection by  
 14 the state superintendent of public instruction in  
 15 accordance with W.S. 21-2-202(e).

16  
 17                   **21-13-320. Student transportation; amount within**  
 18 **school foundation program formula for transportation**  
 19 **maintenance and operations expenditures and school bus**  
 20 **purchases; district reporting requirements.**

21  
 22                   (f) The department of education shall adopt necessary  
 23 rules and regulations to implement and enforce state

1 standards established under this section and to administer  
2 this section. District expenditures computed under  
3 subsection (b) of this section shall not include  
4 expenditures for compensation which are in excess of the  
5 district's salary schedule amount for each staffing  
6 position, such as cash bonuses, employer contributions to  
7 benefits at levels exceeding amounts contained within the  
8 education resource block grant funding model and other  
9 district compensation enhancements for that position. In  
10 addition, the department shall, in accordance with  
11 procedures prescribed by department rule and regulation,  
12 establish a base price for each school bus type or other  
13 student transportation vehicle type for the applicable  
14 fiscal period that complies with minimum state standards  
15 for vehicle specifications and equipment. The department  
16 shall also establish a process including competitive  
17 bidding which guarantees the acquisition of school buses  
18 and other student transportation vehicles approved for  
19 reimbursement and complying with state minimum standards  
20 and district fleet size restrictions at the established  
21 base price for the applicable fiscal year. In addition and  
22 for purposes of reimbursement under subsection (g) of this  
23 section, the department shall in consultation with the

1 pupil transportation committee, establish a minimum,  
2 average and optimal replacement schedule for each school  
3 bus type or other student transportation vehicle type.  
4 School districts shall notify the department of school bus  
5 and other student transportation vehicle needs and  
6 requirements for the appropriate fiscal year in the manner  
7 and within the times prescribed by department rule and  
8 regulation, and shall report expenditures, purchases and  
9 lease arrangements for the applicable reporting period,  
10 including vehicles replaced by purchases and leases, as  
11 required by department rule and regulation. The department  
12 shall annually review and conduct audits as necessary of  
13 information submitted under this section. As authorized  
14 under W.S. 21-13-307(b), the department may correct the  
15 information reported by districts under this section as  
16 necessary to fairly and accurately reflect the data type,  
17 classification and format required to administer this  
18 section in accordance with law and department rules and  
19 regulations.

20

21 **21-13-321. Special education; amount within**  
22 **foundation program formula for special education programs**  
23 **and services; district reporting requirements.**

1

2 (d) The department of education shall adopt necessary  
3 rules and regulations to implement and administer this  
4 section. Districts shall report special education program  
5 expenditures for the applicable reporting period as  
6 required by department rule and regulation. District  
7 expenditures computed under subsection (b) of this section  
8 shall not include expenditures for compensation which are  
9 in excess of the district's salary schedule amount for each  
10 staffing position, such as cash bonuses, employer  
11 contributions to benefits at levels exceeding amounts  
12 contained within the education resource block grant funding  
13 model and other district compensation enhancements for that  
14 position. The department shall annually review and report  
15 to the joint education interim committee regarding services  
16 provided to special education students by school districts.  
17 The report shall evaluate the extent to which services are  
18 being appropriately provided and whether expenditures for  
19 services are reasonable in light of charges by providers of  
20 similar services in Wyoming. In addition, the department  
21 shall when necessary, conduct audits of information  
22 submitted by districts under this section and may, in  
23 accordance with W.S. 21-13-307(b), correct the information

1 reported by districts as necessary to fairly and accurately  
2 reflect the data type, classification and format required  
3 to administer this section in accordance with law and  
4 department rule and regulation.

5

6 **21-13-335. Supplemental financial assistance program**  
7 **for instructional facilitators and instructional coaches.**

8

9 (d) Financial assistance under this section shall be  
10 based upon prior year school level attendance and  
11 configuration reports submitted by each eligible school  
12 district pursuant to W.S. 21-13-309(m)(iv). Grant amounts  
13 shall be computed by the department for the eligible  
14 applicant district as if the education resource block grant  
15 model contained the following component for instructional  
16 facilitators, funded at an amount equal to sixty percent  
17 (60%) for each full-time equivalent position, prorated up  
18 and down from the FTE position level specified for each  
19 prototype similar to computational operation of other  
20 components within the block grant model:

21

22 (e) Financial assistance to each qualifying applicant  
23 school district shall be made by the department from

1 amounts appropriated by the legislature to the foundation  
2 program account for purposes of the program established by  
3 this section and shall be in addition to the foundation  
4 program amount computed for that district under W.S.  
5 21-13-309(p). If there is an insufficient amount within  
6 the foundation program account from amounts appropriated by  
7 the legislature for financial assistance under this section  
8 for any school year, the department shall make a pro rata  
9 reduction in financial assistance payments among all  
10 qualifying districts for that school year. District  
11 expenditures of amounts distributed under this section  
12 shall be solely for district instructional facilitator and  
13 instructional coaching programs in accordance with the  
14 program documentation submitted by the district under  
15 subsection (b) of this section. The department may  
16 withhold a portion or the entire amount to be distributed  
17 to any district under this section for noncompliance with  
18 program documentation required to be submitted by the  
19 applicant district. Any appropriated amounts not expended  
20 or encumbered under this subsection as of July 1 of that  
21 school year immediately following the school year for which  
22 the appropriation applies, shall revert to the foundation  
23 program account.

1

2           **Section 2.** 2006 Wyoming Session Laws, Chapter 37,  
3 ATTACHMENTS "A" and "B", W.S. 21-13-101(a)(xvii) and  
4 (xviii), 21-13-101(c), 21-13-309(m)(v)(G)(II)(1) and (2)  
5 and (III) and 21-13-335(d)(iv) are repealed.

6

7           **Section 3.** For the period commencing July 1, 2011,  
8 and ending June 30, 2012, four million dollars  
9 (\$4,000,000.00) is appropriated from the school foundation  
10 program account to the department of education to  
11 supplement amounts appropriated under 2010 Wyoming Session  
12 Laws, Chapter 39, Section 205, for the supplemental  
13 financial assistance program for school district  
14 instructional facilitators and instructional coaches under  
15 W.S. 21-13-335.

16

17           **Section 4.** On or before November 1, 2011, the  
18 legislative service office shall report to the joint  
19 education interim committee on the implementation of  
20 required reporting mechanisms under W.S. 21-13-309(y), as  
21 created under section 1 of this act. This report shall  
22 specify cost of system indicators designed to identify  
23 possible cost pressures on the Wyoming education resource

1 block grant funding model in those categories specified  
2 under W.S. 21-13-309(y), such that when triggered, the need  
3 for additional in-depth examination of cost integrity is  
4 required. The report shall also identify necessary data  
5 collections for proper analysis of system indicators. The  
6 department of education, school districts, the professional  
7 teaching standards board and other state agencies shall  
8 assist the legislative service office as necessary to carry  
9 out this section.

10

11 **Section 4.** This act is effective July 1, 2011.

12

13

(END)