

SENATE FILE NO. SF0165

School finance-education funding reductions.

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

A BILL

for

1 AN ACT relating to school finance; making temporary
2 reductions to education funding; requiring the joint
3 education interim committee to study and report on
4 specified issues related to funding; providing an
5 appropriation for early retirement as specified; providing
6 rulemaking authority; and providing for an effective date.

7

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

9

10 **Section 1.** Notwithstanding 2016 Wyoming Session Laws,
11 Chapter 31, Section 2, Section 205, Footnote 1, continue
12 external cost adjustments established in that footnote
13 shall be continued for school year 2017-2018 and school
14 year 2018-2019.

15

1 **Section 2.** Notwithstanding 2011 Wyoming Session Laws,
2 Chapter 185, ATTACHMENT "A" (b)(xxxvii), in school year
3 2017-2018 the base salary for district administration shall
4 be reduced by five percent (5%). The base salary for
5 superintendents shall be \$74,469.85, the base salary for
6 assistant superintendents shall be \$59,575.88 and the base
7 salary for business managers shall be \$40,913.47. In school
8 year 2018-2019 the base salary for district administration
9 shall be reduced by an additional five percent (5%). The
10 base salary for superintendents shall be \$70,550.39, the
11 base salary for assistant superintendents shall be
12 \$56,440.31 and the base salary for business managers shall
13 be \$38,760.31. In calculating amounts provided under W.S.
14 21-13-309(p) reductions of five percent (5%) each year
15 shall also be made to adjustments for education, experience
16 and responsibility.

17

18 **Section 3.** Notwithstanding W.S. 21-13-309, 21-13-320
19 and 2011 Wyoming Session Laws, Chapter 185, ATTACHMENT "A"
20 (b)(xxxi), for school years 2017-2018 and 2018-2019 the
21 amount computed for each school district for student
22 transportation shall equal the average amount the district
23 expended in school years 2014-2015, 2015-2016 and 2016-2017

1 less any amounts for health insurance and bus purchases and
2 leases, plus any amounts provided under W.S. 21-13-302(g)
3 for buses purchased or leased prior to the effective date
4 of this section. The amount calculated under this section
5 shall be provided to the school district as a part of the
6 school foundation program amount provided to the district
7 under W.S. 21-13-309(p). No school district shall purchase
8 or lease a new bus unless the district applies to the
9 department of education and the department determines that
10 an emergency exists necessitating the purchase or lease of
11 a new bus.

12

13 **Section 4.** Notwithstanding W.S. 21-13-321 and 2011
14 Wyoming Session Laws, Chapter 185, ATTACHMENT "A"
15 (b)(xxiii), for school years 2017-2018 and 2018-2019 the
16 amount computed for each school district for special
17 education shall equal the average amount the district
18 expended in school years 2014-2015, 2015-2016 and 2016-2017
19 less any amount expended for services provided outside of
20 the district in those years and less any amounts provided
21 for health insurance, plus one hundred percent (100%) of
22 the amount actually expended by the district during the

1 previous school year for tuition for special education
2 programs and services provided outside of the district.

3
4 **Section 5.** Notwithstanding W.S. 21-13-309, 21-13-335
5 and 2011 Wyoming Session Laws, Chapter 185, ATTACHMENT "A"
6 (b)(vi), for school years 2017-2018 and 2018-2019
7 instructional facilitators shall be resourced at 0.45 FTE
8 teacher position for 288 ADM prototypical elementary school
9 and 0.45 FTE teacher position for 315 ADM prototypical
10 middle or high school, resourced at the highest grade
11 prototype using the total school ADM. The amount calculated
12 under this section shall be provided to the school district
13 as a part of the school foundation program amount provided
14 to the district under W.S. 21-13-309(p).

15
16 **Section 6.**

17
18 (a) Notwithstanding 2011 Wyoming Session Laws,
19 Chapter 185, ATTACHMENT "A" (b)(xxvi) for school years
20 2017-2018 and 2018-2019 student activities shall be
21 resourced under the following school configurations:

22
23 (i) K-5 elementary school: \$16.27/ADM;

1

2 (ii) 6-8 middle school: Declining linearly from
3 \$534.98/ADM at 1 ADM school to \$138.22/ADM for 1,260 ADM
4 school;

5

6 (iii) 9-12 high school: Declining linearly from
7 \$1,379.07/ADM for 1 ADM school to \$406.52/ADM for 1,260 ADM
8 school;

9

10 (iv) Alternative school: \$195.44/ADM

11

12 (b) School districts shall, to the extent practical,
13 fund student activities through user fees provided that
14 waivers or reduced rates shall be offered for students
15 eligible for free and reduced lunch as defined under W.S.
16 21-13-309(m) (v) (A) .

17

18 **Section 7.** Notwithstanding W.S. 21-13-309(m) (v) (F) ,
19 for school years 2017-2018 and 2018-2019 the amount for
20 health insurance shall be calculated on a reimbursement
21 basis only for individuals actually employed by the
22 district and paid with funds received pursuant to the
23 foundation program amount under W.S. 21-13-309(p) based

1 upon prior year actual participation in district health
2 insurance plans not to exceed the annualized state
3 contribution rate as of January 1 of the preceding school
4 year, on behalf of each employee and official enrolled in
5 the state group health insurance plan, for employee only,
6 split contracts, employee plus spouse or children and
7 family coverage, as applied to the coverage of each
8 district employee participating in district health
9 insurance plans.

10
11 **Section 8.**

12
13 (a) Notwithstanding W.S. 21-13-307(a)(ii) and 2011
14 Wyoming Session Laws, Chapter 185, ATTACHMENT "A"
15 (b)(xxvii) and (xxxvii), for school years 2017-2018 and
16 2018-2019 schools shall be operated for a term of at least
17 one hundred eighty (180) days as follows:

18
19 (i) The base teacher salary resourced under 2011
20 Wyoming Session Laws, Chapter 185, ATTACHMENT "A"
21 (b)(xxxvii) shall be \$36,935.04 which shall include five
22 (5) pupil free days for professional development;

1 (ii) The base principal salary resourced under
2 2011 Wyoming Session Laws, Chapter 185, ATTACHMENT "A"
3 (b)(xxxvii) shall be reduced by 2.5% to \$70,875.28. In
4 calculating amounts provided under W.S. 21-13-309(p)
5 reductions of two and one-half percent (2.5%) shall also be
6 made to adjustments for education, experience and
7 responsibility;

8
9 (iii) The base assistant principal salary
10 resourced under 2011 Wyoming Session Laws, Chapter 185,
11 ATTACHMENT "A" (b)(xxxvii) shall be \$57,648.81. In
12 calculating amounts provided under W.S. 21-13-309(p)
13 reductions of two and one-half percent (2.5%) shall also be
14 made to adjustments for education, experience and
15 responsibility.

16
17 **Section 9.** Notwithstanding 2011 Wyoming Session Laws,
18 Chapter 185, ATTACHMENT "A" (b)(xxvii), for school years
19 2017-2018 and 2018-2019, the additional amount resourced
20 for trainers shall be reduced to \$59.22/ADM.

21
22 **Section 10.**
23

1 (a) Notwithstanding 2011 Wyoming Session Laws,
2 Chapter 185, ATTACHMENT "A" (b), for school years 2017-2018
3 and 2018-2019, nonpersonnel amounts shall be resourced as
4 follows:

5
6 (i) Central office nonpersonnel expenses shall
7 be \$365.86/ADM;

8
9 (ii) Instructional materials shall be
10 \$191.37/ADM;

11
12 (iii) Technology equipment shall be \$250.00/ADM,
13 which amount is not subject to any adjustment made pursuant
14 to W.S. 21-13-309(o);

15
16 (iv) Gifted shall be \$40.29/ADM;

17
18 (v) Vocational education shall be \$9,428.77/FTE
19 vocational education teacher for equipment and supplies;

20
21 (vi) Assessment shall be \$25.00/ADM, which
22 amount is not subject to any adjustment made pursuant to
23 W.S. 21-13-309(o);

1

2 (vii) Maintenance and operation supplies shall
3 be \$0.68 per 110% of gross square feet of authorized
4 educational space;

5

6 (viii) Utilities shall be actual 2009-2010
7 expenditures by district as adjusted by the legislature
8 pursuant to W.S. 21-13-309(o) as provided in the 2015 cost
9 of education study. For additional school buildings added
10 to district building inventories after 2009-2010, 100% of
11 2009-2010 district average utility expenditures per gross
12 square foot for district school buildings multiplied by the
13 additional authorized educational square footage.

14

15 **Section 11.** Notwithstanding W.S. 21-13-101(a)(i), for
16 school years 2017-2018 and 2018-2019, "average daily
17 membership" or "ADM" means the aggregate number of pupils
18 present on an hourly basis plus the aggregate number of
19 pupils absent on an hourly basis, divided by the actual
20 number of hours the school is in session for the year. If
21 the school operates using class periods, "ADM" means the
22 ratio of class periods pupils are present to the actual
23 number of class periods in a school for the number of days

1 pupils are counted as members. Pupils who have withdrawn
2 from school or who have been absent for more than ten (10)
3 consecutive calendar days shall not be counted as members.

4
5 **Section 12.** Notwithstanding W.S. 21-13-315(b), for
6 school years 2017-2018 and 2018-2019, no district shall
7 receive funds, either directly or indirectly, from any
8 facility or home receiving payment under this section for
9 providing education programs and services to children
10 placed and residing in the facility or home, but the
11 district may count the children among its average daily
12 membership if the district provides education services
13 directly to the children or contracts with another district
14 to provide education services to the children.

15
16 **Section 13.** There is appropriated twenty million
17 dollars (\$20,000,000.00) from the school foundation program
18 account to the department of education. This appropriation
19 shall be for the period beginning with the effective date
20 of this act and ending June 30, 2019. This amount shall
21 only be expended to pay for the costs of offering early
22 retirement to teachers who are within five (5) years of
23 retirement. Notwithstanding any other provision of law,

1 this appropriation shall not be transferred or expended for
2 any other purpose and any unexpended, unobligated funds
3 remaining from this appropriation shall revert as provided
4 by law on June 30, 2019. To the extent funds are available
5 under this section, the department shall provide funding to
6 districts on a first come first served basis in order to
7 pay the cost associated with providing early retirement to
8 a teacher who is currently employed by the district. No
9 teaching position that becomes open pursuant to an early
10 retirement under this section shall be filled with a
11 teacher who has more than five (5) years of teaching
12 experience. Any teacher who takes early retirement under
13 this section shall not be rehired to a public school
14 teacher position in this state within five (5) years of the
15 date the teacher retires under this section. The department
16 of education shall adopt rules necessary to implement this
17 section. The Wyoming retirement system shall provide
18 assistance to the department of education as necessary to
19 implement this section.

20

21 **Section 14.**

22

1 (a) During the 2017 interim, the joint education
2 interim committee shall review and determine a cost-based
3 amount to include within the education resource block grant
4 model for transportation funding and special education
5 funding pursuant to W.S. 21-13-309(t). The calibration of
6 transportation funding and special education funding shall
7 include a review of W.S. 21-13-320 and 21-13-321 and shall
8 recommend any necessary revisions to those sections. The
9 joint education interim committee shall sponsor legislation
10 it deems necessary related to calibration of those
11 components in sufficient time for consideration in the 2018
12 budget session of the Wyoming legislature.

13

14 (b) The joint education interim committee may seek
15 out expert opinions related to the issues specified in
16 subsection (a) of this section and may hire consultants as
17 necessary to complete the study and recommendations
18 required under this section. The department of education
19 and school districts shall provide any necessary data as
20 requested by the joint education interim committee.

21

22 (c) The legislative service office is authorized to
23 contract with consultants for the joint education interim

1 committee for the purposes of subsection (b) of this
2 section at the direction of management council.

3

4 **Section 15.** The joint education interim committee
5 shall review and develop a plan for consolidation of school
6 districts. The joint education interim committee shall
7 sponsor legislation it deems necessary related to
8 consolidation of school districts in sufficient time for
9 consideration in the 2019 general session of the Wyoming
10 legislature.

11

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

16

17 (END)