

HOUSE BILL NO. HB0030

School finance amendments.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to school finance; requiring school
2 districts to comply with department of workforce services
3 programs as specified; requiring the average daily
4 membership calculation within the school district funding
5 model to be calculated at the school district level;
6 revising workers' compensation provisions for special
7 education professionals; prohibiting school districts from
8 leasing buses; amending provisions regarding school bus
9 purchase reimbursements; amending school district funding
10 for groundskeepers; repealing funding to school districts
11 for assessments; requiring a report; requiring the
12 department of education to establish special education
13 staffing guidelines as required by existing statute; and
14 providing for effective dates.

15

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

1

2 **Section 1.** W.S. 21-3-110(a) by creating a new
3 paragraph (xxxvi), 21-13-309(m)(iv)(A), 21-13-320(j)(iii),
4 by creating new paragraphs (iv) and (v) and (m) and
5 27-14-108(d)(xvi) and (f) by creating a new paragraph (x)
6 are amended to read:

7

8 **21-3-110. Duties of boards of trustees.**

9

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

12

13 (xxxvi) Participate in programs of the
14 department of workforce services necessary to receive
15 premium discounts for the state workers' compensation
16 program.

17

18 **21-13-309. Determination of amount to be included in**
19 **foundation program for each district.**

20

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

1

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

9

10 (A) If the district's average ~~daily~~
11 ~~membership (ADM) ADM~~ for the three (3) immediately
12 preceding school years is greater than the district's ADM
13 from the previous school year, each reported school shall
14 be computed based upon the average of the school's ADM
15 counts completed at the end of the three (3) immediately
16 preceding school years, ~~or otherwise each reported school~~
17 within the district shall be computed based on the school's
18 ADM for the previous school year; ~~whichever is greater;~~

19

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

1

2 (j) Effective for the school year 2018-2019 and each
3 school year thereafter the amount computed under this
4 section shall be in accordance with the provisions of this
5 subsection. Each district shall receive:

6

7 (iii) An amount calculated in accordance with
8 subsection (g) of this section for each school bus
9 purchased or initially leased on or after March 15, 2017
10 but before July 1, 2018, if the school district first
11 applied to the department and the department determined the
12 purchase or lease was necessary to alleviate an emergency;
13 plus

14

15 (iv) One hundred percent (100%) reimbursement
16 for each school bus purchased on or after July 1, 2018, if
17 the school district first applied to the department and the
18 department determined the purchase was necessary to
19 alleviate an emergency; plus

20

21 (v) One hundred percent (100%) reimbursement for
22 a bus purchase that will be fully or partially paid for or
23 rebated under the Diesel Emissions Reduction Act, 42 U.S.C.

1 16131 et seq., or other similar program minus the amount
2 that will be paid for or rebated under the applicable
3 program.

4
5 (m) No district shall purchase a school bus ~~or enter~~
6 ~~into a new lease for a school bus~~ on or after March 15,
7 2017 unless it first applies to the department and the
8 department determines that an emergency exists
9 necessitating the purchase or lease of the bus, except
10 that, beginning July 1, 2018, a district may purchase a bus
11 that will be fully or partially paid for or rebated under
12 the Diesel Emissions Reduction Act, 42 U.S.C. 16131 et
13 seq., or other similar program as confirmed by a letter of
14 assurance from the state or federal government. No district
15 shall enter into a new lease for a school bus on or after
16 July 1, 2018.

17
18 **27-14-108. Extrahazardous industries, employments,**
19 **occupations; enumeration; definitions; optional coverage.**

20
21 (d) This act applies to governmental entities engaged
22 in an industrial classification listed under subsection (a)

1 of this section and to employees of governmental entities
2 engaged in or employed as the following:

3
4 (xvi) Public school educational assistants who
5 provide services to special education students while
6 working directly with special education students and
7 certified special education teachers and related services
8 providers as defined by 34 C.F.R. 300.18 and 300.156 and
9 W.S. 21-2-802 and 21-7-303 who provide services to eligible
10 students ~~with behavioral, emotional, cognitive, learning,~~
11 ~~physical or health disabilities that require educational~~
12 ~~services to be provided outside of the regular classroom~~
13 ~~because the use of supplementary aids and services cannot~~
14 ~~be achieved satisfactorily in the regular classroom~~ while
15 working directly with eligible students;

16

17 (f) As used in this section:

18

19 (x) "Eligible student" means a student with
20 behavioral, emotional, cognitive, learning, physical or
21 health disabilities who requires educational services to be
22 provided outside of the regular classroom because the use

1 of supplementary aids and services cannot be achieved
 2 satisfactorily in the regular classroom.

3

4 **Section 2.** 2011 Wyoming Session Laws, Chapter 185,
 5 ATTACHMENT "A" (b)(xxxiii) is amended to read:

6

7 ATTACHMENT "A" ATTACHMENT "A" CONTAINS AN ENUMERATION
 8 OF EDUCATION RESOURCE BLOCK GRANT MODEL COMPONENTS
 9 SUMMARIZING AND EXECUTING RECOMMENDATIONS CONTAINED IN THE
 10 2010 COST OF EDUCATION STUDY AS FOLLOWS:

11

12 (b) Notwithstanding components specified in
 13 the 2010 cost of education study accepted by the
 14 legislature, the Wyoming education resource block
 15 grant model components and the resourcing for
 16 those components, as enacted by the legislature,
 17 shall be as follows:

18

19 (xxxiii) Maintenance and operations:
 20 Based on ADM, gross square
 21 footage, number of buildings
 22 and classrooms, and age of
 23 buildings ~~and site acreage~~

1 for custodians, and
2 maintenance workers, ~~and~~
3 ~~groundskeepers,~~ computed in
4 accordance with the 2010 cost
5 of education study. Any
6 building without allowable
7 gross square footage for
8 purposes of major maintenance
9 computations under W.S.
10 21-15-109 shall use the
11 actual educational gross
12 square footage as approved by
13 the school facilities
14 commission. Groundskeeper FTE
15 computations for elementary,
16 middle and high schools shall
17 be computed in accordance
18 with the 2010 cost of
19 education study, subject to
20 the following. The site
21 acreage shall be based upon
22 the lesser of the actual site
23 acreage on which the facility

1 is situated as defined by
2 department rule and
3 regulation, or the school
4 facility guidelines and site
5 acreages established by the
6 school facilities commission
7 under W.S. 21-15-114.
8 Acreages acquired on or prior
9 to July 1, 1997, and acreages
10 acquired after July 1, 1997
11 through an exchange with
12 another governmental entity
13 if the acreages involved in
14 the exchange were originally
15 acquired by the district and
16 the governmental entity on or
17 prior to July 1, 1997, shall
18 not be subject to
19 groundskeeper FTE computation
20 limitations, except as
21 follows. Groundskeeper FTE
22 computations for district
23 level sites shall be equal to

1 10% of the groundskeeper FTEs
2 for elementary, middle and
3 high schools.
4

5 **Section 3.** 2011 Wyoming Session Laws, Chapter 185,
6 ATTACHMENT "A" (b)(xxviii), as amended by 2017 Wyoming
7 Session Laws, Chapter 205, ATTACHMENT "A" (b)(xxviii), is
8 repealed.
9

10 **Section 4.**

11
12 (a) The department of education shall review state
13 statutes relating to special education and school district
14 transportation and its rules relating to special education
15 and transportation for any possible fiscal efficiencies. By
16 June 1, 2018, the department of education shall report to
17 the joint education interim committee on its review and
18 shall include suggested changes to statute or rule and any
19 rulemaking conducted as a result of its review.
20

21 (b) On or before January 1, 2019, the state
22 superintendent of public instruction shall establish

1 statewide guidelines for adequate special education
2 staffing levels as required by W.S. 21-2-202(a)(xxiii).

3

4 **Section 5.**

5

6 (a) Except as provided in subsection (b) of this
7 section, this act is effective July 1, 2018.

8

9 (b) Section 4 of this act is effective immediately
10 upon completion of all acts necessary for a bill to become
11 law as provided by Article 4, Section 8 of the Wyoming
12 Constitution.

13

14 (END)