

HOUSE BILL NO. HB0110

K-12 public school finance.

Sponsored by: Select Committee on School Finance
Recalibration

A BILL

for

1 AN ACT relating to K-12 public school finance; implementing
2 the 2025 cost of education study as modified by the
3 legislature; modifying the education resource block grant
4 model; modifying cash reserves; restricting expenditure of
5 funds distributed through the school foundation program
6 account; requiring school districts to participate in the
7 state employees' and officials' group insurance program;
8 making conforming amendments; requiring rulemaking;
9 continuing the mental health services grant program;
10 repealing provisions; providing appropriations; authorizing
11 positions; providing borrowing authority; and providing for
12 effective dates.

13

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

15

1 **Section 1.** W.S. 21-13-309.1, 21-13-339 and 21-13-340
2 are created to read:

3
4 **21-13-309.1. Education resource block grant model**
5 **components; retirement; health insurance.**

6
7 (a) This section is intended to specify the education
8 resource block grant model components and computations
9 necessary to execute the 2025 cost of education study as
10 required by W.S. 21-13-309(t) and as adopted and modified
11 by the legislature.

12
13 (b) As used in this section:

14
15 (i) "Average daily membership" or "ADM" means
16 as defined by W.S. 21-13-101(a)(i) and calculated pursuant
17 to W.S. 21-13-309(m)(iv);

18
19 (ii) "Education resource block grant model"
20 means as defined by W.S. 21-13-101(a)(xiv);

21
22 (iii) "Co-located school" means two (2) or more
23 schools, each with its own administrative structure, that

1 operate within the same physical facility, regardless of
2 whether the schools serve the same or different grade
3 bands;

4

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

8

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

12

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

16

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

21

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

4

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

7

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

10

11 (ii) Core teachers. For any school with greater
12 than fifty (50) ADM, one (1.0) FTE for every sixteen (16)
13 ADM for grades kindergarten through three (3), one (1.0)
14 FTE for every twenty-two (22) ADM for grades four (4)
15 through eight (8) and one (1.0) FTE for every twenty-five
16 (25) ADM for grades nine (9) through twelve (12);

17

18 (iii) Elective/specialist teachers:

19

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

23

1 (B) Middle school grade bands. FTE equal to
2 twenty percent (20%) of the core teachers calculated
3 pursuant to paragraph (ii) of this subsection;

4

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

9

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

16

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

19

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

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

3
4 (I) For an elementary school grade
5 band with greater than fifty (50) ADM, six (6) FTE and for
6 an elementary school grade band with fifty (50) ADM or
7 less, six (6) FTE reduced on a pro rata basis, calculated
8 by multiplying six (6) teacher FTEs by a fraction, the
9 numerator of which is the elementary school grade band ADM
10 and the denominator of which is fifty (50);

11
12 (II) For a middle school grade band
13 with greater than fifty (50) ADM, seven (7) FTE and for a
14 middle school grade band with fifty (50) ADM or less, seven
15 (7) FTE reduced on a pro rata basis, calculated by
16 multiplying seven (7) teacher FTEs by a fraction, the
17 numerator of which is the middle school grade band ADM and
18 the denominator of which is fifty (50);

19
20 (III) For a high school grade band
21 with greater than fifty (50) ADM, nine (9) FTE and for a
22 high school grade band with fifty (50) ADM or less, nine
23 (9) FTE reduced on a pro rata basis, calculated by

1 multiplying nine (9) teacher FTEs by a fraction, the
2 numerator of which is the high school grade band ADM and
3 the denominator of which is fifty (50).

4

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

8

9 (I) For an elementary school, six (6)
10 FTE reduced on a pro rata basis, calculated by multiplying
11 six (6) teacher FTEs by a fraction, the numerator of which
12 is the school's ADM and the denominator of which is fifty
13 (50);

14

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

20

21 (III) For a high school, nine (9) FTE
22 reduced on a pro rata basis, calculated by multiplying nine
23 (9) teacher FTEs by a fraction, the numerator of which is

1 the school's ADM and the denominator of which is fifty
2 (50).

3

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

7

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

11

12 (viii) English language learner teachers. One
13 (1.0) FTE for every one hundred (100) students identified
14 as limited English proficient in accordance with rules
15 enacted by the department of education pursuant to W.S.
16 21-13-309(m) (v) (A);

17

18 (ix) Instructional facilitators. Resourced at
19 the highest prototypical school model using total school
20 ADM;

21

22 (A) Elementary schools. One and one-half
23 (1.5) FTE for every three hundred thirty (330) ADM;

1

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

4

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

7

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

11

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

16

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

19

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

22

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

3

4 (xi) Substitute teachers. An amount equal to:

5

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

10

11 (B) For employer paid social security and
12 Medicaid benefits, the amount calculated in subparagraph
13 (A) of this paragraph multiplied by a daily salary as
14 specified in subparagraph (xxxiv)(P) of this subsection,
15 multiplied by seven and sixty-five hundredths percent
16 (7.65%).

17

18 (xii) Counselors. Resourced at each grade band:

19

20 (A) Elementary school grade bands.
21 Effective school year 2027-2028 and each school year
22 thereafter, one (1.0) FTE for every three hundred thirty
23 (330) ADM;

1

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

4

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

7

8 (D) Effective school year 2027-2028 and
9 each school year thereafter, notwithstanding subparagraphs
10 (A) through (C) of this paragraph, each school district
11 shall receive a minimum of one (1.0) FTE.

12

13 (xiii) Pupil support positions. Effective school
14 year 2027-2028 and each school year thereafter, one (1.0)
15 FTE for every one hundred (100) at-risk students computed
16 under W.S. 21-13-309(m) (v) (A). For school year 2026-2027
17 only, the greater of:

18

19 (A) One (1.0) FTE for every one hundred
20 (100) at-risk students computed under W.S.
21 21-13-309(m) (v) (A); or

22

1 (B) Resourced at the highest prototypical
2 school model using total school ADM:

3

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

6

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

9

10 (III) High schools. One (1.0) FTE for
11 every three hundred fifteen (315) ADM.

12

13 (xiv) Nurses. Effective school year 2027-2028
14 and each school year thereafter, resourced at the highest
15 prototypical school model using total school ADM:

16

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

19

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

22

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

3

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

7

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

10

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

13

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

16

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

19

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

22

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

4

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

8

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

12

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

16

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

19

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

23

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

4

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

8

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

11

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

14

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

17

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

20

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

23

1 (A) Elementary schools. The greater of:

2

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

6

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

9

10 (B) Middle schools. The greater of:

11

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

15

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

18

19 (C) High schools. The greater of:

20

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

1

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

4

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

7

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

16

17 (B) Middle schools. Two (2.0) FTE for three
18 hundred fifteen (315) ADM, prorated down to one and
19 one-half (1.5) FTE for two hundred ten (210) ADM, prorated
20 down to one (1.0) FTE for one hundred five (105) ADM, one
21 (1.0) FTE prorated below one hundred five (105) ADM. For
22 schools with ADM greater than three hundred fifteen (315)

1 ADM, one (1.0) additional FTE for each additional one
2 hundred fifty-seven and one-half (157.5) ADM;

3

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

13

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

16

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

19

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

22

23 (xxiv) Student activities:

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

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

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

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

7
8 (E) For school districts with less than
9 five hundred (500) ADM and more than one hundred fifty
10 (150) ADM the per ADM amounts specified in subparagraph (B)
11 of this paragraph shall be proportionally adjusted on a
12 linear per ADM basis to the per ADM amounts specified in
13 subparagraph (C) of this paragraph.

14
15 (xxv) Professional development. One hundred
16 ninety-one dollars and forty-three cents (\$191.43) per ADM;

17
18 (xxvi) Short cycle and formative assessments.
19 Twenty-five dollars (\$25.00) per ADM;

20
21 (xxvii) Central office staff. Central office
22 staff shall be calculated utilizing the school district's
23 ADM, as follows:

1

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

4

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

7

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

10

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

13

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

16

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

20

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

23

1 (II) Two (2.0) FTE for
2 deputy/assistant superintendent positions at one thousand
3 (1,000) ADM prorated down to one and one-half (1.5) FTE for
4 five hundred (500) ADM;

5

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

9

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

13

14 (C) For school districts with more than one
15 thousand (1,000) ADM and less than or equal to two thousand
16 (2,000) ADM:

17

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

20

21 (II) Three (3.0) FTE for
22 deputy/assistant superintendent positions at two thousand

1 (2,000) ADM prorated down to two (2.0) FTE for one thousand
2 (1,000) ADM;

3

4 (III) Six and one-half (6.5) FTE for
5 secretary/accounting positions at two thousand (2,000) ADM
6 prorated down to three (3.0) FTE for one thousand (1,000)
7 ADM;

8

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

13

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

17

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

20

21 (II) Four (4.0) FTE for
22 deputy/assistant superintendent positions at four thousand

1 (4,000) ADM prorated down to three (3.0) FTE for two
2 thousand (2,000) ADM;

3

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

8

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

13

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

18

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

22

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

4

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

8

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

11

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

14

15 (III) Twenty (20.0) FTE for
16 secretary/accounting positions at twelve thousand (12,000)
17 ADM prorated down to ten (10.0) FTE for four thousand
18 (4,000) ADM;

19

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

1

2 (V) Nine (9.0) FTE for
3 director/coordinator positions at twelve thousand (12,000)
4 ADM prorated down to three (3.0) FTE for four thousand
5 (4,000) ADM;

6

7 (VI) Two (2.0) FTE for network
8 supervisor positions at twelve thousand (12,000) ADM
9 prorated down to one (1.0) FTE for four thousand (4,000)
10 ADM;

11

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

15

16 (VIII) Ten (10.0) FTE for other
17 central office professional positions at twelve thousand
18 (12,000) ADM prorated down to zero (0.0) FTE for four
19 thousand (4,000) ADM.

20

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

23

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

3

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

6

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

10

11 (IV) Fifteen (15.0) FTE for computer
12 technician positions prorated up from twelve thousand
13 (12,000) ADM;

14

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

18

19 (VI) Two (2.0) FTE for network
20 supervisor positions prorated up from twelve thousand
21 (12,000) ADM;

22

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

4
5 (VIII) Ten (10.0) FTE for other
6 central office professional positions prorated up from
7 twelve thousand (12,000) ADM.

8
9 (xxviii) Central office nonpersonnel resources.
10 Six hundred six dollars (\$606.00) per ADM;

11
12 (xxix) School custodians. Resourced at the
13 highest prototypical school model for each school operating
14 for the immediately preceding school year:

15
16 (A) For schools with more than fifty (50)
17 ADM, calculated using the average of the four (4) factors
18 specified under subdivisions (I) through (IV) of this
19 subparagraph, plus an additional one-half (0.5) FTE for
20 middle or high schools:

21

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

4
5 (II) One (1.0) FTE for every three
6 hundred twenty-five (325) ADM;

7
8 (III) One (1.0) FTE for every thirteen
9 (13) classrooms;

10
11 (IV) One (1.0) FTE for every eighteen
12 thousand (18,000) square feet of authorized education
13 space, as determined by W.S. 21-13-309(m) (v) (G) .

14
15 (B) District custodians. One (1.0) FTE for
16 every eighteen thousand (18,000) square feet of authorized
17 education space, multiplied by ten percent (10%) of the
18 total authorized education space for all school buildings
19 in the district, as determined under W.S.
20 21-13-309(m) (v) (G) .

21

1 (xxx) Maintenance workers. Resourced at the
2 highest prototypical school model for each school operating
3 for the immediately preceding school year:
4

5 (A) A base FTE resourced using the average
6 of the four (4) factors specified under subdivisions (I)
7 through (IV) of this subparagraph, plus the additional
8 adjustments to the base FTE amount as provided in
9 subdivision (V) of this subparagraph:
10

11 (I) One and one-tenth (1.1) FTE per
12 school building;
13

14 (II) One (1.0) FTE for every sixty
15 thousand (60,000) square feet of authorized education
16 space, as determined under W.S. 21-13-309(m)(v)(G),
17 multiplied by one and two-tenths (1.2);
18

19 (III) One (1.0) FTE for every one
20 thousand (1,000) ADM, multiplied by one and three-tenths
21 (1.3);
22

1 (IV) One (1.0) FTE for every five
2 million dollars (\$5,000,000.00) of the school district's
3 school year 2004-2005 general fund operating expenditures,
4 multiplied by one and two-tenths (1.2);

5

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

9

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

15

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

23

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

8
9 (xxxi) Groundskeepers. In making calculations
10 under this subparagraph:

11
12 (A) For school land acreage containing more
13 than one (1) school building, the resources shall be
14 generated at the highest applicable prototypical school
15 model using the total ADM of all schools on the land
16 acreage;

17
18 (B) Acreage acquired by a district after
19 July 1, 1997 shall be calculated using the lesser of the
20 actual site acreage on which the facility is situated or
21 the acreage specified in state construction department's
22 rules, provided that this limitation shall not apply if the
23 acreage was acquired through an exchange with another

1 governmental entity and the acreages involved in the
2 exchange were originally acquired by the district and the
3 governmental entity on or prior to July 1, 1997;

4
5 (C) A base groundskeeper FTE for each
6 school site for the immediately preceding school year shall
7 be equal to the authorized acreage computed under
8 subparagraphs (A) and (B) of this paragraph multiplied by
9 ninety-three (93) hours per acre divided by two thousand
10 eight (2,008) hours of work per year. The base
11 groundskeeper FTE shall be adjusted by a factor equal to
12 the base groundskeeper FTE multiplied by one and
13 five-tenths (1.5) for middle school sites and two and
14 five-tenths (2.5) for high school sites;

15
16 (D) Groundskeeper FTE positions for
17 district level sites shall be equal to ten percent (10%) of
18 the school level groundskeeper FTE positions calculated
19 under subparagraph (C) of this paragraph.

20
21 (xxxii) Operations and maintenance supplies. The
22 authorized education space for each school building, as
23 determined under W.S. 21-13-309(m)(v)(G), multiplied by one

1 dollar and two cents (\$1.02) per square foot and adjusted
2 by a factor of one and one-tenth (1.1);

3
4 (xxxiii) Utilities. Actual school year 2024-2025
5 general fund expenditures by school district excluding
6 amounts reimbursed under W.S. 21-13-320 and 21-13-321
7 adjusted by the external cost adjustment in accordance with
8 W.S. 21-13-309(o). For additional buildings added or
9 removed from school district building inventories after
10 school year 2024-2025, one hundred percent (100%) of
11 2024-2025 district average utility expenditures per gross
12 square foot for district school buildings as adjusted by
13 the external cost adjustment in accordance with W.S.
14 21-13-309(o) multiplied by the additional or removed square
15 footage;

16
17 (xxxiv) Salaries. The average salaries for the
18 positions specified in this subsection shall be as follows:

19
20 (A) Superintendents: one hundred sixty-four
21 thousand three hundred sixty-seven dollars (\$164,367.00);

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

4

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

7

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

10

11 (E) Network supervisor/software managers:
12 sixty-eight thousand five hundred sixteen dollars
13 (\$68,516.00);

14

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

17

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

20

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

23

1 (J) Teachers, including instructional
2 facilitators, tutors, counselors, pupil support, librarians
3 and nurses: seventy thousand five hundred sixty dollars
4 (\$70,560.00);

5

6 (K) Secretary/accounting personnel:
7 forty-seven thousand four hundred thirty-two dollars
8 (\$47,432.00);

9

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

12

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

15

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

18

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

21

22 (xxxv) In determining the resources allocated to
23 each school district, each salary specified in paragraph

1 (xxxiv) of this subsection shall be adjusted in the
2 following order:

3

4 (A) Multiplied by the external cost
5 adjustment adopted by the legislature pursuant to W.S.
6 21-13-309(o) and in accordance with paragraph (xxxviii) of
7 this subsection;

8

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

12

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

19

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

1

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

7

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

10

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

13

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

16

17 (xxxvii) Health insurance. For school year 2026-
18 2027 only, health insurance benefits shall be computed
19 under W.S. 21-13-309(m)(v)(F) and multiplied by the total
20 FTE calculated under this subsection, excluding positions
21 calculated under paragraphs (vi) and (vii) of this section.
22 For school year 2027-2028, and each school year thereafter,

1 health insurance benefits shall be computed pursuant to
2 W.S. 21-13-340;

3

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

8

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

11

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

15

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

18

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

22

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

3

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

7

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

11

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

17

18 (D) "Professional labor category" including
19 salaries for superintendents, deputy and assistant
20 superintendents, directors and coordinators, other central
21 office professional personnel, network supervisors and
22 software managers, computer technicians, principals,

1 assistant principals and teachers identified under
2 paragraph (xxxiv) of this subsection.

3

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

1 appropriate expenditures for instructional purposes under
2 this subsection.

3

4 (e) Notwithstanding any other provision of law, a
5 superintendent's total compensation paid by a school
6 district shall not exceed two hundred thirty-three and
7 one-third percent (233 1/3%) of the average teacher's total
8 compensation paid by that district for the applicable
9 school year. This subsection shall only apply to
10 superintendent employment contracts entered into, renewed
11 or amended on or after July 1, 2026.

12

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

22

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

3
4 (i) By the hedonic wage index as computed in the
5 2025 cost of education study. For school year 2027-2028 and
6 each year thereafter, the hedonic wage index shall be
7 updated annually by the legislative service office until it
8 is recalibrated in accordance with W.S. 21-13-309(t). Each
9 salary under paragraph (c)(xxxiv) of this section shall be
10 adjusted by the lowest annual hedonic wage index to
11 establish a baseline state average salary for each position
12 in the education resource block grant model. The baseline
13 state average salary shall be further adjusted by each
14 school district's rebased hedonic wage index with a minimum
15 of one hundred (100) as the index value or an adjusted
16 rebased hedonic wage index as computed in paragraph (ii) of
17 this subsection;

18
19 (ii) If the difference between a school
20 district's rebased Wyoming cost-of-living index and its
21 rebased hedonic wage index is greater than thirty-three
22 (33) percentage points, the difference, less thirty-three
23 (33) percentage points, shall be added to a district's

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

8
9 (h) Nothing in this section shall be construed to
10 require a school district to pay salaries in the amounts
11 specified in this section. Notwithstanding any other
12 provision of law, except as provided for school district
13 superintendents, a school district may compensate employees
14 in accordance with its adopted salary schedule.

15
16 **21-13-339. Retirement; K-12 public school employees.**

17
18 In addition to amounts resourced and computed by the
19 education resource block grant model and amounts reimbursed
20 under W.S. 21-13-320 and 21-13-321, the department of
21 education shall reimburse each school district for
22 retirement benefits equal to the percentage paid for state
23 employee members under W.S. 9-3-413 and 9-3-413.1, but

1 only for those employees' salaries paid from amounts
2 specified by W.S. 21-13-309.1, 21-13-320 or 21-13-321. If a
3 portion of an employee's total salary is paid from funds
4 other than those amounts specified by W.S. 21-13-309.1,
5 21-13-320 or 21-13-321, only the proportional amount shall
6 be subject to reimbursement. The department shall
7 promulgate rules regarding employee eligibility for
8 reimbursement under this section and the information
9 required from school districts to reimburse retirement
10 benefit costs under this section. The department shall
11 reimburse the amount computed under this section to each
12 school district monthly or in accordance with the schedule
13 provided under W.S. 21-13-313(c).

14

15 **21-13-340. State employees' and officials' group**
16 **insurance reimbursements for K-12 public school employees.**

17

18 (a) Commencing school year 2027-2028, in addition to
19 amounts resourced by the education resource block grant
20 model and reimbursed under W.S. 21-13-320 and 21-13-321,
21 each school district shall receive from the department of
22 education an amount equal to the monthly employer
23 contribution established by the department of

1 administration and information for school district
2 employees electing coverage in the state employees' and
3 officials' group insurance plan pursuant to W.S. 9-3-210
4 and 9-3-211, but only for those employees hired from
5 amounts specified by W.S. 21-13-309.1, 21-13-320 or
6 21-13-321. If a portion of an employee's total salary is
7 paid from funds other than those amounts specified by W.S.
8 21-13-309.1, 21-13-320 or 21-13-321, only the proportional
9 amount for the employer contribution shall be subject to
10 reimbursement. Each school district shall remit to the
11 department of administration and information the applicable
12 monthly premium for each covered employee or official in
13 accordance with W.S. 21-7-301(b). The department of
14 education shall promulgate rules regarding the employees
15 eligible for reimbursement under this section and any other
16 necessary information required to be collected from school
17 districts to reimburse the necessary amount for the
18 employer contribution under this section. The department of
19 education shall reimburse the amount computed under this
20 section to each school district monthly or in accordance
21 with the schedule provided under W.S. 21-13-313(c).

22

1 (b) Commencing school year 2027-2028, each school
2 district shall participate in the state employees' and
3 officials' group insurance plan in accordance with W.S.
4 9-3-201 et seq.

5
6 **Section 2.** W.S. 9-3-413.1(a)(v), 16-4-105(b),
7 21-2-202(g), 21-2-204(b)(intro), 21-3-314(c)(i) and (vi),
8 21-13-101(a)(xiv), (xvi)(A)(II) through (IV) and (c),
9 21-13-102(e), 21-13-307 by creating a new subsection (c),
10 21-13-309(m)(iv)(A), (v)(intro), (B)(intro), (IV)(intro),
11 (G)(intro), (I), (II), (vi)(C), (o) and (u), 21-13-310(a)
12 by creating new paragraph (xv) and by renumbering (xv) as
13 (xvi), 21-13-313(b), (c), (e) and (g), 21-13-320(b)(intro),
14 (f), (g)(intro), (v)(intro), (A), (vi) and (m),
15 21-13-321(b) and (d), 21-13-338(a), (c)(intro), (i) through
16 (iii) and (e) and 21-13-504 are amended to read:

17
18 **9-3-413.1. Members' and employers' contributions**
19 **based on actuarially determined contribution rates;**
20 **calculation of rates; reports.**

21
22 (a) Beginning with the 2027-2028 fiscal biennium, the
23 retirement system shall calculate the percentage of salary

1 for members' contributions required under W.S. 9-3-412(a)
2 and for the employers' contribution required under W.S.
3 9-3-413 based on an actuarially determined contribution
4 rate in accordance with the following:

5
6 (v) After calculation of the actuarially
7 determined contribution rate under paragraph (ii) of this
8 subsection, the state budget department and the retirement
9 system shall calculate necessary amounts to account for any
10 changes in the appropriations necessary to fund the
11 contributions for the public employee retirement plan and
12 shall include those amounts in the budget prepared under
13 W.S. 9-2-1010 through 9-2-1014.1, including changes in
14 amounts for school districts necessary to account for the
15 employer's share of the actuarially determined contribution
16 rate in accordance with this section for benefits paid ~~from~~
17 ~~the education resource block grant model defined in W.S.~~
18 ~~21-13-101(a)(xiv) and as enumerated in Attachment~~
19 ~~A(b)(xxxviii), as defined in W.S. 21-13-101(a)(xvii) in~~
20 accordance with 21-13-339;

21
22 **16-4-105. Accumulated retained earnings or fund**
23 **surplus; capital improvements reserve.**

1

2 (b) Except as specifically prohibited under W.S.
3 21-13-504(b) for school district boards of trustees, a
4 municipality may appropriate funds from estimated revenue
5 in any budget year to a reserve for capital improvements
6 and for depreciation within any capital improvements fund,
7 and for the purpose of purchasing or replacing specified
8 equipment or a depreciation reserve for equipment, which
9 has been duly established by ordinance. Money in the
10 reserves may be allowed to accumulate from year to year
11 until the accumulated total is sufficient to permit
12 economical expenditure for the specified purposes.
13 Disbursements from reserves shall be made only by transfer
14 to a revenue account within a capital improvements fund
15 pursuant to an appropriation for the fund. The amount
16 appropriated to reserves under this subsection in any
17 budget year shall not exceed ten percent (10%) of the
18 municipality's total revenues for that budget year.

19

20 **21-2-202. Duties of the state superintendent.**

21

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

1

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

4

5 (b) A statewide education accountability system shall
6 be established by the state board through the department of
7 education in accordance with this section, which implements
8 the components of the education resource block grant model
9 as defined by W.S. 21-13-101(a)(xiv) and as contained in
10 ~~Attachment "A" as defined under W.S. 21-13-101(a)(xvii)~~
11 21-13-309.1. The first phase of this system shall be a
12 school-based system that is based on student performance as
13 determined through multiple measures of school performance.
14 The goals of the Wyoming Accountability in Education Act
15 are to:

16

17 **21-3-314. Students counted among district ADM;**
18 **determination of charter school funding.**

19

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

22

1 (i) Except as provided in paragraph (vi) of this
2 subsection, one hundred percent (100%) of the foundation
3 program amount computed under W.S. 21-13-309(m) and
4 21-13-309.1 based upon the average daily membership of the
5 charter school, less amounts generated by the charter
6 school's membership under ~~paragraph (b) (xxix) of~~
7 ~~"Attachment A" as defined in~~ W.S. ~~21-13-101(a) (xvii)~~
8 21-13-309.1(c) (xxiv) and (xxvii) and less amounts specified
9 under W.S. 21-13-309(m) (v) (E) (III) through (V);

10
11 (vi) A percentage amount calculated by dividing
12 the charter school's average daily membership by the total
13 average daily membership of the charter school's respective
14 school district multiplied by the amounts generated from
15 the foundation program amount computed under W.S.
16 21-13-309(m) and ~~paragraph (b) (xxix) of "Attachment A" as~~
17 ~~defined in~~ W.S. ~~21-13-101(a) (xvii)~~ 21-13-309.1(c) (xxiv) and
18 (xxvii).

19
20 **21-13-101. Definitions.**

21
22 (a) As used in this chapter:

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 2010~~
5 2025 cost of education study as modified by the legislature
6 and as ~~referenced in paragraph (xvii) of this subsection~~
7 contained in W.S. 21-13-309.1. "Education resource block
8 grant model" or "model" includes model spreadsheets updated
9 with technical corrections, all of which are enacted into
10 law, on file with the secretary of state and are maintained
11 and made available for public inspection by the state
12 superintendent under W.S. 21-2-202(e), and as may be
13 subsequently modified by the legislature prior to future
14 model recalibration required under W.S. 21-13-309(t);

15

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

21

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

4
5 (II) ~~Ninety-six (96)~~ One hundred ten
6 (110) ADM;

7
8 (III) ~~One hundred ninety-two (192)~~ Two
9 hundred twenty (220) ADM; and

10
11 (IV) ~~Two hundred eighty-eight (288)~~
12 Three hundred thirty (330) ADM.

13
14 (c) The education resource block grant model as
15 defined under paragraph (a)(xiv) of this section and as
16 ~~included in "Attachment A" referenced in paragraph~~
17 ~~(a)(xvii) of this section~~ contained in W.S. 21-13-309.1 and
18 operationalized through the model spreadsheets, as each are
19 enacted into law, and including any technical correction
20 which may be implemented by rule ~~and regulation~~ of the
21 state superintendent under W.S. 21-2-202(e), shall be filed
22 with the secretary of state.

23

1 **21-13-102. Maximum rate of school district tax;**
2 **recapture of excess; equalization of permissive levies.**

3
4 (e) Annually on or before ~~August 15~~ September 1 the
5 department shall notify each district subject to recapture
6 of the estimated amount due to the state during the current
7 fiscal year, using data from the previous school year. Upon
8 receipt of the state assessed values by school districts,
9 and not later than ~~March 1~~ May 31 of the current fiscal
10 year, the department shall certify to each district subject
11 to recapture the amount of recapture for the fiscal year to
12 be remitted to the state. The amount certified shall
13 supersede the estimates certified on or before ~~August 15~~
14 September 1. If a district can demonstrate financial
15 inability to make payments to the state as provided in
16 subsection (b) of this section, the superintendent of
17 public instruction may adjust the schedule of payments
18 provided by subsection (b) of this section if the financial
19 integrity of the foundation program will not be
20 jeopardized.

21
22 **21-13-307. Eligibility to share in distribution of**
23 **money from foundation account; mandatory financial**

1 **reporting; prohibition of spending foundation program funds**
2 **on capital construction.**

3
4 (c) In no event shall any school district transfer or
5 expend any foundation program amounts, defined under W.S.
6 21-13-101(a)(v), including but not limited to revenues
7 collected under W.S. 21-13-310 and amounts paid to the
8 school district for the purpose of funding operational
9 expenses under this chapter, for major building and
10 facility repair or replacement, as defined under W.S.
11 21-15-109(a)(iii), or for a project, as defined under W.S.
12 21-15-111(a)(iv) or for any educational building, office
13 building, portable building, teacherage or warehouse
14 building, as defined under W.S. 21-15-109(a).

15
16 **21-13-309. Determination of amount to be included in**
17 **foundation program for each district.**

18
19 (m) In determining the amount to be included in the
20 foundation program for each district, the state
21 superintendent shall:

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

8
9 (A) If the district's ~~average~~ ADM for the
10 ~~three (3)~~ immediately preceding school ~~years is greater~~
11 ~~than the district's ADM from the previous school~~ year
12 decreased by more than five percent (5%) compared to one
13 (1) year from the immediately preceding school year, each
14 reported school shall be computed ~~based upon the average of~~
15 ~~the~~ by multiplying each reported school's ADM ~~counts~~
16 ~~completed at the end of the three (3)~~ one (1) year from the
17 immediately preceding school ~~years~~ year by ninety-five
18 percent (95%), otherwise each reported school within the
19 district shall be computed based on the school's ADM for
20 the ~~previous~~ immediately preceding school year;

21
22 (v) Based upon ADM computations and identified
23 school configurations within each district pursuant to

1 paragraph (iv) of this subsection, compute the foundation
2 program amount for each district as prescribed by the
3 education resource block grant model ~~adopted by the Wyoming~~
4 ~~legislature~~ as defined under W.S. 21-13-101(a) (xiv) ~~, as~~
5 ~~contained within the spreadsheets and accompanying reports~~
6 ~~referenced under W.S. 21-13-101(a) (xvii).~~ The following
7 criteria shall be used by the state superintendent in the
8 administration of the education resource block grant model:
9

10 (B) Alternative schools ~~qualifying for~~
11 ~~separate consideration under the education resource block~~
12 ~~grant model~~ may be established by a school district for
13 offering educational programs to students with educational
14 needs which the district finds are not appropriately met by
15 other schools in the district, excluding charter schools
16 established under W.S. 21-3-301 through 21-3-314.
17 Alternative schools included within a district's
18 configuration of schools identified under paragraph (iv) of
19 this subsection shall for purposes of the education
20 resource block grant model:
21

22 (IV) ~~Except as otherwise provided in~~
23 ~~subdivision (V) of this subparagraph, on and after July 1,~~

1 ~~2014, and if not qualifying under subdivision (I) of this~~
2 ~~subparagraph,~~ Be approved as an alternative school by the
3 state superintendent subject to the following:
4

5 (G) Amounts within the education resource
6 block grant model for maintenance and operations shall be
7 based upon the lesser of the actual educational gross
8 square footage of school buildings and facilities or the
9 education space prescribed by statewide adequacy standards
10 under W.S. 21-15-115 subject to the following:
11

12 (I) Actual gross square footage of
13 school buildings and facilities shall be separated into
14 education ~~and noneducation~~ space categories by school and
15 by district, including leased square footage but excluding
16 square footage not used for delivering the required
17 educational program and the square footage of any building
18 or facility closed and not operational as provided under
19 W.S. 21-15-109(c)(iv);
20

21 (II) Actual gross square footage of
22 education space shall be the gross square footage
23 prescribed by statewide building adequacy standards

1 promulgated pursuant to W.S. 21-15-115. ~~Except as otherwise~~
2 ~~provided in this subdivision,~~ Education space capacity in
3 excess of one hundred fifteen percent (115%) of the
4 standard space level shall not be included in actual gross
5 square footage computations under this subdivision. ~~For~~
6 ~~school year 2025-2026, education space capacity in excess~~
7 ~~of one hundred thirty-five percent (135%) of the standard~~
8 ~~space level shall not be included in actual gross square~~
9 ~~footage computations under this subdivision;~~

10

11 (vi) Except for charter schools established
12 under W.S. 21-3-301 through 21-3-314 and alternative
13 schools approved under subdivision (v)(B)(IV) of this
14 subsection, any alteration of the configuration of grades
15 within a district, school or school facility which differs
16 from the configuration of grades during the immediately
17 preceding school year as reported under paragraph (iv) of
18 this subsection shall be considered a reconfiguration and
19 shall be documented by the district and reported to the
20 state superintendent and the director of the state
21 construction department. Following review and evaluation,
22 the state superintendent and the director of the state
23 construction department shall, each acting independently,

1 approve or deny the reconfiguration for purposes of
2 application to the education resource block grant model and
3 the determination of school facility needs and remedies.
4 The following shall apply:

5
6 (C) ~~Effective for the school year~~
7 ~~commencing after July 1, 2012, and each school year~~
8 ~~thereafter,~~ No reconfiguration of grades within any
9 district, school or facility shall differ from the previous
10 school year such that more than one (1) school is included
11 within any one (1) school facility to be reported under
12 paragraph (iv) of this subsection for purposes of
13 determining the foundation program amount for that
14 district;

15
16 (o) To the extent specifically provided 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 shall be adjusted to provide for the effects of
21 inflation, excluding those amounts specified under
22 ~~subparagraphs~~ subparagraph (m) (v) (E) and, for school year
23 2026-2027 only, subparagraph (F) of this section, the

1 technology and equipment component as specified in W.S.
2 21-13-309.1(c)(xxii), the gifted and talented students
3 component as specified in W.S. 21-13-309.1(c)(xxiii) and
4 the short cycle and formative assessment component
5 ~~contained in paragraph (b)(xxviii) of "Attachment A" as~~
6 ~~referenced~~ as specified in W.S. ~~21-13-101(a)(xvii)~~
7 21-13-309.1(c)(xxvi). The adjustment under this subsection
8 shall not be applied until the expiration of the school
9 year immediately following the first school year of
10 application of the recalibrated model, and shall be
11 adjusted on a cumulative basis ~~each school year~~ not less
12 than one (1) time every two (2) school years thereafter and
13 until the first school year of application of a subsequent
14 model recalibration. Following analysis of information
15 reported under subsection (u) of this section, the joint
16 appropriations ~~interim~~ committee shall submit a
17 recommendation to the legislature and the governor not
18 later than November 1 of each applicable year on an
19 external cost adjustment for purposes of this subsection.

20

21 (u) To ensure model components specified under the
22 education resource block grant model defined under W.S.
23 21-13-101(a)(xiv), as enumerated and enacted by the

1 legislature and ~~included in "Attachment A" referenced in~~
2 ~~W.S. 21-13-101(a) (xvii)~~ as specified by W.S. 21-13-309.1,
3 remain resourced at cost-based levels between periods of
4 model recalibration required under subsection (t) of this
5 section, and prior to adjustment for the effects of
6 inflation for any school year under subsection (o) of this
7 section, the joint education interim committee shall
8 ~~annually~~ receive and review reports in accordance with this
9 subsection and report to the joint appropriations ~~interim~~
10 committee as required by this subsection. The legislative
11 service office shall assemble information necessary to
12 develop a model monitoring process and other reports for
13 the committee using data maintained by the department of
14 education and other state agencies. For this purpose, the
15 department shall annually update and compile information,
16 in a format contained within reports provided during ~~2010~~
17 2025 model recalibration, reported at the model component
18 level, on school district allocation of model resources, as
19 well as other information provided for purposes of
20 developing and completing the ~~2010-2025~~ cost of education
21 studies. ~~Each year~~ Not less than one (1) time every two
22 (2) years, excluding the first school year of application
23 of any model recalibration performed under subsection (t)

1 of this section, the information and analysis assembled by
2 the legislative service office under this subsection shall
3 be reported to the joint education interim committee in
4 sufficient time to allow committee review of and
5 deliberation on the report and the submission of
6 recommendations to the joint appropriations ~~interim~~
7 committee by October 15 of the applicable school year.
8 Report recommendations shall be used by the joint
9 appropriations ~~interim~~ committee in its determination of
10 legislative recommendation on model adjustment under
11 subsection (o) of this section.

12

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

14

15 (a) To ensure revenues available to each district are
16 uniformly sufficient to enable compliance with the uniform
17 standards for educational programs prescribed under W.S.
18 21-9-101 and 21-9-102 and to secure state board
19 accreditation of educational programs under W.S.
20 21-2-304(a)(ii), the revenues specified under this
21 subsection shall be deemed state revenues and shall be
22 considered in determining the amount to be distributed to

1 each district under W.S. 21-13-311. A district shall make
2 an annual computation of the following revenues:

3
4 (xv) One-half (1/2) of the amount of realized
5 investment earning received on school district investments;
6

7 ~~(xv)~~ (xvi) All other revenues received or
8 collected by the district during the previous school year,
9 but excluding any amount received from private
10 contributions and gifts, excluding any revenues dedicated
11 by law to the payment of bonded indebtedness, and any
12 revenues from the disposition of school buildings and land
13 pursuant to W.S. 21-15-123(f)(vi), and excluding fees or
14 other charges imposed by the district for goods or
15 services, such as rental fees and the price paid for
16 admission into any place for recreation, entertainment or
17 an athletic event. Upon application of a district, the
18 department shall exclude from this paragraph revenue
19 received by the district if the department finds that the
20 revenue could not be used by the district to provide
21 educational services to students.

22

1 **21-13-313. Distribution of funds from foundation**
2 **account; property tax and cash reserve adjustment;**
3 **regulations.**

4
5 (b) The state superintendent shall determine on or
6 before ~~August 15~~ September 1 of each year the tentative
7 allotment of foundation funds to which each district is
8 entitled under this article. In making this determination,
9 the state superintendent may, if current fiscal information
10 required by law to compute the tentative allotment is not
11 available for any district, ~~by August 1 of that year,~~ use
12 fiscal information available to the state superintendent
13 from the foundation program computations of the previous
14 school year for that district. The previous year's fiscal
15 information shall be adjusted to reflect current fiscal
16 changes and other information known by or available to the
17 state superintendent. Upon receiving actual fiscal
18 information from a district, the state superintendent shall
19 accordingly adjust future foundation program determinations
20 for that district such that foundation program payments
21 appropriately reflect current fiscal information for the
22 applicable school year.

23

1 (c) ~~Fifteen percent (15%)~~ Ten percent (10%) of each
2 district's entitlement shall be paid to the district on or
3 before ~~August 15~~ July 15 of each year and subject to any
4 adjustment under subsections (d) and (e) of this section,
5 ~~ten percent (10%)~~ nine percent (9%) of each district's
6 entitlement shall be paid on or about the fifteenth day of
7 each month through April of each year. The final payment
8 for the balance of each district's entitlement shall be
9 distributed on or before May 15 of each year. If, ~~after~~
10 ~~March 1 and before April 1,~~ the state superintendent
11 determines that the entitlement to be paid to a district
12 for that school year is not accurate, the state
13 superintendent shall adjust payments to or payments from
14 that district as necessary to correct the inaccuracy as
15 soon as practicable. Except as provided under W.S.
16 21-2-202(e) and 21-13-307(b), after ~~March 31~~ June 30 of any
17 school year, the state superintendent shall not adjust any
18 district's entitlement or fiscal information used to
19 compute a district's entitlement for that school year, and
20 the entitlement or fiscal information shall only be
21 adjusted thereafter in accordance with audit review
22 pursuant to W.S. 9-1-513.

23

1 (e) Not later than January 31 of each fiscal year,
2 and except where a different percentage is otherwise
3 specified in this subsection, the department shall compute
4 the amount by which each district's operating balance and
5 cash reserves at the end of the preceding fiscal year
6 exceed ~~fifteen percent (15%)~~ twenty percent (20%) of the
7 total foundation program amount computed under W.S.
8 21-13-309, 21-13-309.1, 21-13-321, 21-13-339 and 21-13-340
9 for the preceding fiscal year. ~~In making this calculation,~~
10 ~~the entire operating balance and cash reserves for each~~
11 ~~district for the fiscal year ending June 30, 1997, as~~
12 ~~computed by the department, shall be separately accounted~~
13 ~~for and excluded, until it has been completely expended by~~
14 ~~the district.~~ Revenues from settlements of protested
15 amounts attributable to levies assessed under W.S.
16 21-13-102(a)(i)(A) and (ii)(A) and 21-13-201, regardless of
17 the assessment year, shall be accounted for and excluded
18 from the calculation under this subsection for a period of
19 not more than one (1) year following that fiscal year in
20 which the revenue was received by a district, as verified
21 in writing by the district and certified by the county
22 treasurer. Except ~~as otherwise provided in 1997 Special~~
23 ~~Session Laws, chapter 3, section 306(e), as amended, and~~

1 ~~except~~ as excluded under this subsection, that excess shall
2 be deemed to be a state revenue under W.S. 21-13-310(a) for
3 the purpose of determining distributions under W.S.
4 21-13-311 and amounts to be rebated under W.S. 21-13-102.
5 The department shall promulgate rules, including reporting
6 requirements and procedures for districts, to implement
7 this subsection. As used in this section, "operating
8 balance and cash reserves" means those financial resources
9 of the district which are not encumbered by the district
10 board of trustees for expenditure to meet an existing legal
11 obligation or otherwise restricted by law or regulation for
12 expenditure on specific educational programs. For purposes
13 of this subsection, any balance within a district's
14 separate account established under W.S. 21-15-109(e) for
15 major building and facility repair and replacement shall be
16 deemed restricted by law for expenditure as provided by
17 W.S. 21-15-109(e) and shall not be considered an operating
18 balance and cash reserve under this section. For the fiscal
19 year ending June 30, 2022 through the fiscal year ending
20 June 30, 2028, the department shall compute the amount by
21 which each district's operating balance and cash reserves
22 at the end of the preceding fiscal year exceed thirty
23 percent (30%) of the total foundation program amount

1 computed under W.S. 21-13-309, 21-13-309.1, 21-13-321,
2 21-13-339 and 21-13-340 for the preceding fiscal year.
3 ~~During this period, the amount of a district's operating~~
4 ~~balance and cash reserves that may be increased from~~
5 ~~fifteen percent (15%) to thirty percent (30%) of the total~~
6 ~~foundation program amount computed under W.S. 21-13-309 for~~
7 ~~the preceding fiscal year shall be accounted for and~~
8 ~~reported separately and shall not be transferred or~~
9 ~~expended for purposes of capital construction. For purposes~~
10 ~~of this subsection, "capital construction" does not include~~
11 ~~major building and facility repair and replacement as~~
12 ~~defined under W.S. 21-15-109(a)(iii).~~

13

14 (g) In addition to subsections (b) and (c) of this
15 section, the state superintendent shall, for any district
16 subject to W.S. 21-13-102(b) as determined by the
17 department for any school year, or for any district not
18 subject to W.S. 21-13-102(b) whose entitlement amount
19 determined under W.S. 21-13-311(a) for any school year is
20 equal to or less than twenty percent (20%) of the
21 foundation program amount computed under W.S. 21-13-309(p),
22 and upon demonstration by the district of financial need as
23 documented by cash flow analysis, provide payments from the

1 public school foundation program account in an amount not
2 to exceed one-fifth (1/5) of the foundation program amount
3 computed for that district for that school year in
4 accordance with W.S. 21-13-309. The computed amount shall
5 be paid to each eligible district on or ~~before September 1~~
6 after July 1 based upon tentative computations under W.S.
7 21-13-309, for which the department may use fiscal
8 information available from foundation program computations
9 for the previous school year in the manner provided under
10 subsection (b) of this section. Any district receiving a
11 payment under this subsection shall repay the public school
12 foundation program account not later than ~~December 15~~ June
13 15 of that school year.

14

15 **21-13-320. Student transportation; amount within**
16 **school foundation program formula for transportation**
17 **maintenance and operations expenditures and school bus**
18 **purchases; district reporting requirements.**

19

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

1 ~~section and for~~ the amount actually expended by the
2 district during the previous school year for:

3
4 (f) The department of education shall adopt necessary
5 rules ~~and regulations~~ to implement and enforce state
6 standards established under this section and to administer
7 this section. District expenditures computed under
8 subsection (b) of this section shall not include
9 expenditures for ~~employee~~ contributions to the Wyoming
10 retirement system exceeding the amount specified in W.S.

11 ~~9-3-413.1(b)(iii)~~ 21-13-339 of any member employee's
12 salary. Beginning school year 2027-2028, district
13 expenditures computed under subsection (b) of this section
14 shall not include expenditures for employer contributions
15 to the state group insurance plan specified in W.S.
16 21-13-340. In addition, the department shall, in accordance

17 with procedures prescribed by department rule, ~~and~~
18 ~~regulation,~~ establish a base price for each school bus type
19 or other student transportation vehicle type for the
20 applicable fiscal period that complies with minimum state
21 standards for vehicle specifications and equipment. The
22 department shall also establish a process including
23 competitive bidding which guarantees the acquisition of

1 school buses and other student transportation vehicles
2 approved for reimbursement and complying with state minimum
3 standards and district fleet size restrictions at the
4 established base price for the applicable fiscal year.
5 Department rules shall establish appropriate restrictions
6 on how and under which conditions a school district may
7 procure a school bus or other student transportation
8 vehicle, ~~either through purchase or lease,~~ to ensure that
9 the procurement method used is the most cost effective.
10 School districts shall notify the department of school bus
11 and other student transportation vehicle needs and
12 requirements for the appropriate fiscal year in the manner
13 and within the times prescribed by department rule, ~~and~~
14 ~~regulation,~~ and shall report expenditures, ~~and~~ purchases
15 ~~and lease arrangements~~ for the applicable reporting period,
16 including vehicles replaced by purchases, ~~and leases,~~ as
17 required by department rule. ~~and regulation.~~ The department
18 shall annually review and conduct audits as necessary of
19 information submitted under this section. As authorized
20 under W.S. 21-13-307(b), the department may correct the
21 information reported by districts under this section as
22 necessary to fairly and accurately reflect the data type,
23 classification and format required to administer this

1 section in accordance with law and department rules. ~~and~~
2 ~~regulations.~~

3
4 (g) In addition to amounts provided pursuant to
5 subsection (b) of this section, ~~and for purchases and~~
6 ~~leases conducted~~ in a manner consistent with department
7 rules, the ~~transportation adjustment for each district~~
8 ~~under this section shall include an~~ department shall
9 reimburse each school district for the amount ~~computed~~
10 ~~under this subsection expended~~ for the purchase ~~or lease~~ of
11 school buses and other vehicles used primarily for the
12 transportation of students to and from school and to and
13 from school activities. ~~Computations of~~ Amounts provided
14 under this subsection shall be in addition to and shall not
15 be considered in determining the school foundation program
16 amount under the education resource block grant model
17 pursuant to W.S. 21-13-309. Amounts reimbursed under this
18 subsection shall be based upon the base price established
19 by the department under subsection (f) of this section for
20 the student transportation vehicle type. ~~Amounts included~~
21 ~~within the adjustment under this subsection~~ and shall be
22 subject to the following:
23

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

7
8 (A) ~~One-fifth (1/5) of~~ The base price
9 established under subsection (f) of this section for each
10 ~~purchased~~ school bus or other ~~purchased~~ student
11 transportation vehicle ~~for which reimbursement is~~
12 ~~authorized and which is made~~ purchased by the district;
13 ~~during the preceding five (5) years;~~

14
15 (vi) ~~Amounts included within the adjustment for~~
16 School bus purchases ~~or leases~~ that are fully or partially
17 paid for or rebated under the Diesel Emissions Reduction
18 Act, 42 U.S.C. § 16131 et seq., or other similar program,
19 shall be made in accordance with department rule and
20 regulation.

21
22 (m) No district shall purchase ~~or lease~~ a school bus
23 unless it first demonstrates to the department and the

1 department determines that the school district has in good
2 faith attempted to purchase ~~or lease~~ a bus that will be
3 fully or partially paid for or rebated under the Diesel
4 Emissions Reduction Act, 42 U.S.C. § 16131 et seq., or
5 other similar program.

6
7 **21-13-321. Special education; amount provided for**
8 **special education programs and services; reimbursement for**
9 **out-of-district placements; district reporting**
10 **requirements; billing for Medicaid authorized school based**
11 **services.**

12
13 (b) Except for expenditures for out-of-district
14 special education placements, the amount provided to a
15 school district for special education shall be equal to one
16 hundred percent (100%) of the amount actually expended by
17 the district during the previous school year for special
18 education programs and services, which shall include the
19 amount actually expended by the district during the
20 previous school year for reasonable administrative costs to
21 bill for authorized Medicaid services under subsection (h)
22 of this section. Amounts ~~awarded~~ provided under this
23 section shall be in addition to and shall not be considered

1 in determining the school foundation program amount under
2 the education resource block grant model pursuant to W.S.
3 21-13-309. Except for expenditures for out-of-district
4 special education placements, the department of education
5 shall distribute the amount computed under this section to
6 each school district in the same proportion and schedule of
7 distributions under W.S. 21-13-313(c). Expenditures by a
8 district for out-of-district special education placements
9 shall be reimbursed in the year in which the costs are
10 incurred and shall be distributed to each school district
11 on a quarterly basis in accordance with rules adopted by
12 the department of education.

13
14 (d) The department of education shall adopt necessary
15 rules ~~and regulations~~ to implement and administer this
16 section. Districts shall report special education program
17 expenditures for the applicable reporting period as
18 required by department rule and regulation. District
19 expenditures computed under subsection (b) of this section
20 shall not include expenditures for ~~employee~~ contributions
21 to the Wyoming retirement system ~~exceeding the amount~~
22 specified in W.S. ~~9-3-413.1(b)(iii)~~ 21-13-339 of any member
23 employee's salary. Beginning school year 2027-2028,

1 district expenditures computed under subsection (b) of this
2 section shall not include expenditures for employer
3 contributions to the state group insurance plan specified
4 in W.S. 21-13-340. The department shall annually review and
5 report to the joint education interim committee regarding
6 services provided to special education students by school
7 districts. In addition, the department shall when
8 necessary, conduct audits of information submitted by
9 districts under this section and may, in accordance with
10 W.S. 21-13-307(b), correct the information reported by
11 districts as necessary to fairly and accurately reflect the
12 data type, classification and format required to administer
13 this section in accordance with law and department rule and
14 regulation.

15

16 **21-13-338. Career and technical education supplies,**
17 **materials, equipment and repair of equipment; criteria;**
18 **limitations.**

19

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

1 career and technical education supplies, materials,
2 equipment and repair of equipment funding in accordance
3 with this section.

4
5 (c) Amounts distributed to each school district for
6 career and technical education supplies, materials,
7 equipment and repair of equipment funding under this
8 section shall be calculated as follows:

9
10 (i) Except as provided in paragraph (ii) of this
11 subsection, the product of each school's FTE career and
12 technical education teachers reported under subsection (b)
13 of this section multiplied by ~~fourteen thousand one hundred~~
14 ~~eighty-four dollars and sixty-eight cents (\$14,184.68)~~
15 fourteen thousand three hundred thirty-six dollars
16 (\$14,336.00);

17
18 (ii) If a school's FTE career and technical
19 education teachers reported in subsection (b) of this
20 section is less than two (2), the amount of funding for the
21 school's career and technical education supplies,
22 materials, equipment and repair of equipment funding shall
23 be equal to ~~twenty-eight thousand three hundred sixty-nine~~

1 ~~dollars and thirty-six cents (\$28,369.36)~~ twenty-eight
2 thousand six hundred seventy-two dollars (\$28,672.00);

3
4 (iii) The department shall further adjust the
5 amounts for career and technical education supplies,
6 materials, equipment and repair of equipment funding in
7 paragraphs (i) and (ii) of this subsection by any external
8 cost adjustment enacted by the legislature for the
9 educational materials category of the educational resource
10 block grant model.

11
12 (e) Each district shall report to the department on
13 the expenditure of amounts distributed under this section
14 and shall provide other information as required by rule of
15 the department. Amounts distributed under this section
16 shall only be expended on supplies, materials, equipment
17 and repair of equipment for career and technical education
18 programs.

19
20 **21-13-504. Special reserve fund.**

21
22 (a) Except as prohibited under subsection (b) of this
23 section, the board of trustees of each Wyoming school

1 district may create a special reserve fund of a specified
2 amount, for the purpose of purchasing or replacing
3 specified equipment or a depreciation reserve for equipment
4 and school building repair. The board may annually include
5 in its budget for the ensuing fiscal year, the amount so
6 designated, as a special fund, expendable only for the
7 purposes stated and segregated as such, from general and
8 other special school funds, disbursements therefrom to be
9 made from time to time by the school clerk's warrants drawn
10 against said special fund, as duly ordered by said board;
11 provided, that said amount so specially budgeted for any
12 fiscal year shall not exceed ten percent (10%) of the total
13 amount budgeted for the same year; and further provided,
14 that any difference in the amount so specially budgeted for
15 any such year and the amount expended from said fund during
16 such year, may be retained in and carried over as a part of
17 the special reserve fund.

18

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

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

5
6 **Section 3.** W.S. 9-3-201(a) and (c) through (e),
7 9-3-203(a)(iv), 9-3-205(a)(xvi), 9-3-207(a) and (b),
8 9-3-210(a), (e) and (f), 9-3-211(a), 9-3-217 and 21-7-301
9 are amended to read:

10
11 **9-3-201. Group prepaid plans authorized; agreements**
12 **with insurance companies authorized; limitation on**
13 **authorized plans and companies; payroll deductions;**
14 **self-insurance programs; school district and boards of**
15 **cooperative services participation.**

16
17 (a) Expect as otherwise specified in this subsection,
18 the state of Wyoming and its political subdivisions and
19 school districts may obtain group prepaid plans or
20 insurance for life, health, accident or hospitalization for
21 their employees and for elected officials, except for
22 members of the legislature, and enter into agreements with
23 prepaid plans or insurance companies to provide this

1 coverage. Each school district and board of cooperative
2 educational services shall provide insurance coverage for
3 ~~school district or board of cooperative educational~~
4 ~~services~~ its employees ~~meeting the definition of employee~~
5 ~~under~~ as defined by W.S. 9-3-203(a)(iv), ~~shall, if elected~~
6 ~~by the district or board under subsection (e) of this~~
7 ~~section, be provided~~ through the state employees' and
8 officials' group insurance plan in accordance with W.S.
9 9-3-202 through 9-3-218 and as required by W.S. 21-13-340
10 and subsection (e) of this section. Insurance coverage for
11 retired school district or board of cooperative educational
12 services employees ~~shall, if elected by the board or~~
13 ~~district under subsection (e) of this section and if the~~
14 ~~retired employee was~~ who were continuously covered under
15 the board's or district's insurance plan prior to ~~the~~
16 ~~election,~~ the board's or district's enrollment in the state
17 employees' and officials' group insurance program, shall be
18 provided through the state employees' and officials' group
19 insurance plan in accordance with W.S. 9-3-202 through
20 9-3-218. ~~If a school district or board of cooperative~~
21 ~~educational services elects to cease participation in the~~
22 ~~group insurance plan pursuant to subsection (f) of this~~
23 ~~section, the election shall apply to retired employees of~~

1 ~~that board or district who are receiving coverage under~~
2 ~~this subsection.~~

3
4 (c) Upon a request in writing from any employee of
5 the state of Wyoming, any covered political subdivision
6 thereof or ~~a participating~~ school district, the state
7 auditor or the proper officer in any political subdivision
8 or school district may deduct from the wages of the
9 employee the amount of the premium which the employee has
10 agreed to pay for the prepaid plans or insurance, and to
11 pay or remit the payment directly to the prepaid plan or
12 insurance company issuing the group plan or insurance.

13
14 (d) The state and any political subdivision are
15 authorized to utilize a self-insurance program, provided
16 that a defined plan with proper funding is first adopted
17 and the cost of the plan is included in the annual budget
18 and provided the self-insurance program includes any
19 coverage mandated by Wyoming insurance law. Any
20 self-insurance program, including the Wyoming state
21 employees' and officials' group insurance plan, adopted
22 pursuant to this section shall be within the jurisdiction
23 of the insurance commissioner under the provisions of title

1 26, Wyoming statutes. This subsection shall not be
2 construed to authorize a school district or board of
3 cooperative educational services to provide insurance
4 coverage for employees outside the state employees' and
5 officials' group insurance plan.

6
7 (e) Each school district or board of cooperative
8 educational services ~~may elect to~~ shall participate in the
9 state employees' and officials' group insurance plan by
10 filing notification of election with the department of
11 administration and information on a form and in a manner as
12 prescribed by the department. Participation in the plan
13 ~~for any electing board or district~~ by all boards and
14 districts shall commence not ~~less than one hundred twenty~~
15 ~~(120) days following the date on which the board or~~
16 ~~district filed notification under this subsection~~ later
17 than July 1, 2027 and shall be identical to plans and
18 coverage provided other enrollees under this act. ~~The~~
19 ~~department shall notify the electing board or district of~~
20 ~~the date on which the board or district is eligible to~~
21 ~~participate in the state group insurance plan. An election~~
22 ~~by a board or district to participate in the state group~~
23 ~~insurance plan under this subsection is irrevocable for a~~

~~period of five (5) years from the date on which plan participation originally commenced. In addition to all other remedies available to the department, if a district or board withdraws from the state group insurance plan during the period of irrevocability, the department may assess against the withdrawing board or district the amount by which all claims paid on behalf of employees of the board or district exceeds total premiums paid by the board or district and their employees. A board or district may renew its initial participation in the state group insurance plan without interruption upon submitting notification of renewal to the department prior to expiration of the initial five (5) year participation period. Renewal of plan participation shall be irrevocable for an additional period of not less than five (5) years.~~

9-3-203. Definitions.

(a) As used in this act:

(iv) "Employee" means any employee of a ~~participating~~ school district or ~~participating~~ board of cooperative educational services whose salary is paid by

1 funds of the district or board, a volunteer firefighter,
2 volunteer emergency medical technician or a volunteer
3 search and rescue person as provided by W.S. 9-3-220 or any
4 official or employee of the state of Wyoming whose salary
5 is paid by state funds, including employees and faculty
6 members of the University of Wyoming and various community
7 colleges in the state, except persons employed on
8 intermittent, irregular, or less than halftime basis and
9 any at-will contract employee who does not meet the
10 requirements established under W.S. 9-2-3207(a)(xi)(F)(III)
11 or (IV). "Employee" shall not include employees of the
12 agricultural extension service of the University of Wyoming
13 who hold federal civil service appointments, are required
14 to participate in federal civil service retirement and who
15 elect to participate in the federal employees' health
16 benefit program as authorized in W.S. 9-3-210(d);

17

18 **9-3-205. Administration and management of group**
19 **insurance program; powers and duties; adoption of rules and**
20 **regulations; interfund borrowing authority.**

21

22 (a) The department shall administer and manage the
23 state employees' and officials' group insurance program in

1 accordance with all provisions of title 26 of the Wyoming
2 statutes governing group health benefit plans and rules
3 promulgated thereto. The department, subject to the
4 provisions of this act:

5
6 (xvi) Have authority to audit payroll records of
7 voluntary participating employers, school districts and
8 boards of cooperative services to ensure compliance with
9 requirements of this act.

10
11 **9-3-207. Eligibility for membership in plan; state**
12 **employees; thirty-one (31) day period to elect enrollment;**
13 **new employees; later enrollment.**

14
15 (a) Any state, school district or board of
16 cooperative services employee eligible for membership in
17 the group insurance plan at the time the plan becomes
18 effective shall have thirty-one (31) days to either elect
19 to be enrolled or not be enrolled in the plan. The
20 department shall establish the procedure by which eligible
21 employees shall notify the department of their decision
22 within the prescribed thirty-one (31) day period.

23

1 (b) An eligible employee who enters state service,
2 enters service as a volunteer firefighter, volunteer
3 emergency medical technician or volunteer search and rescue
4 person ~~or enters service of a voluntary participating~~
5 ~~employer~~ has thirty-one (31) days from the initial date of
6 employment or ninety (90) days from the initial date of
7 becoming a volunteer firefighter, volunteer emergency
8 medical technician or volunteer search and rescue person as
9 provided by W.S. 9-3-220 to elect to be enrolled or not be
10 enrolled in the group insurance plan. A person who enters
11 service as a volunteer firefighter, volunteer emergency
12 medical technician or volunteer search and rescue person
13 shall volunteer for ninety (90) days before becoming
14 eligible for coverage under the group insurance plan. After
15 the ninety (90) day period is over, a volunteer shall have
16 thirty-one (31) days to elect to be enrolled or not be
17 enrolled in the group insurance plan.

18

19 **9-3-210. Amount of state's contribution; estimates**
20 **submitted to state budget officer; specified employees**
21 **participation in federal program; participating employers**
22 **contributions.**

23

1 (a) Except for voluntary participating employers,
2 school districts, boards of cooperative services, volunteer
3 firefighters, volunteer emergency medical technicians and
4 volunteer search and rescue persons under W.S. 9-3-220, the
5 state shall contribute monthly the amount established and
6 appropriated by the legislature for each employee and
7 official enrolled in the plan in accordance with
8 subsections (b) and (c) of this section.

9
10 (e) ~~A participating~~ Each school district shall pay to
11 the department the monthly premium established by the
12 department for coverage of each eligible employee or
13 official of that district electing to become covered by any
14 portion of the group insurance plan. Monthly premiums
15 shall be at minimum no less than rates assessed for
16 coverage of other enrollees qualified under W.S.
17 9-3-203(a)(iv), and shall be based upon information
18 reported by the ~~participating~~ district to the department,
19 to be in a form and manner prescribed by the department.

20
21 (f) ~~A participating~~ Each board of cooperative
22 educational services shall pay to the department the
23 monthly premium established by the department for coverage

1 of each eligible employee of the employer electing to
2 become covered by any portion of the group insurance plan.
3 Additionally, each ~~participating~~ board of cooperative
4 educational services shall pay to the department a monthly
5 amount equal to the lowest premium for nonsupplemental
6 coverage for each eligible employee of the employer not
7 electing to become covered under the nonsupplemental
8 portion of the group insurance plan. For purposes of this
9 subsection an employee shall not be considered as not
10 electing coverage if that employee is covered by other
11 insurance with benefits comparable to or greater than the
12 coverage provided by the least expensive non-supplemental
13 plan available under this act. Monthly premiums shall be
14 at minimum no less than rates assessed for coverage of
15 other enrollees qualified under W.S. 9-3-203(a)(iv), and
16 shall be based upon information reported by ~~the~~
17 ~~participating~~ board of cooperative educational services to
18 the department, to be in a form and manner prescribed by
19 the department.

20

21 **9-3-211. Deductions from salaries of monthly**
22 **contributions by employees and officials; establishment of**
23 **procedure.**

1

2 (a) The amount of monthly contribution to be made by
3 eligible employees and officials, excluding volunteer
4 firefighters, volunteer emergency medical technicians and
5 volunteer search and rescue persons under W.S. 9-3-220,
6 enrolled in the group insurance plan for themselves and
7 their dependents shall be deducted from the monthly
8 salaries of the employees and officials by the various
9 agencies or voluntary participating employers, school
10 districts and boards of cooperative services and remitted
11 to the department. The procedure for deductions and
12 remittances shall be established by the department. If a
13 flexible benefits plan is chosen, the employees' and
14 officials' contribution shall be applied to the chosen
15 benefits in an amount determined by the employee or
16 official.

17

18 **9-3-217. Advisory panel; composition; compensation.**

19

20 (a) The director of the department shall establish an
21 advisory panel consisting of active plan participants
22 employed by the state, ~~participating~~ school districts, the
23 University of Wyoming and Wyoming community colleges and of

1 retired employees who are plan participants. The panel
2 shall consist of ~~no more than ten (10) members if there are~~
3 ~~less than five (5) participating school districts or no~~
4 ~~more than~~ twelve (12) members ~~if there are at least five~~
5 ~~(5) participating school districts~~ and, insofar as
6 possible, shall proportionally represent the specified
7 employee groups participating in the group health insurance
8 plan. The advisory panel shall be consulted regarding plan
9 benefits and costs. ~~The director of the department shall,~~
10 ~~upon receiving notification from at least five (5) school~~
11 ~~districts electing group insurance plan participation under~~
12 ~~W.S. 9-3-201(e), appoint two (2) additional advisory panel~~
13 ~~members to increase the advisory panel to twelve (12)~~
14 ~~members as provided in this section.~~

15

16 (b) State, ~~participating~~ school district, university
17 and community college employee members of the panel shall
18 suffer no loss of wages for the time devoted to attending
19 meetings of the panel called by the department. All
20 members shall be provided per diem and travel expenses
21 incurred for attending such meetings at the rates provided
22 under W.S. 9-3-102 and 9-3-103.

23

1 **21-7-301. Insurance and other fringe and employment**
2 **benefits.**

3
4 (a) The board of trustees of each school district
5 within the state may provide health insurance, life
6 insurance, and other fringe and employment benefits of all
7 types for the teachers, administrative personnel and other
8 employees of the school district to such extent as it deems
9 such benefits to be in the best interest of the school
10 district. Benefits under this subsection may be paid for
11 entirely by the school district or partly by the school
12 district and partly by the employee, the degree of
13 participation of each being entirely within the discretion
14 of the board of trustees. Benefits under this subsection
15 may be in addition to any benefits obtained through the
16 state employees' and officials' group insurance plan ~~if~~
17 ~~elected by the school district~~ under W.S. 9-3-201(e) and
18 21-13-340(b).

19
20 (b) The board of trustees of each school district
21 ~~which is a participating district in the state employees'~~
22 ~~and officials' group insurance plan, as defined under W.S.~~
23 ~~9-3-203(a)(xvi),~~ shall provide insurance under the state

1 employees' and officials' group plan for the teachers,
2 administrative personnel and other employees meeting the
3 definition of employee under W.S. 9-3-203(a)(iv), as
4 provided by W.S. 9-3-202 through 9-3-218. Each
5 ~~participating~~ school district shall report to the
6 department of administration and information and make
7 payments for employer and employee contributions as
8 provided by W.S. 9-3-210 and 9-3-211. The amount of
9 contributions paid under W.S. 9-3-211 for each employee
10 electing coverage shall be deducted from the employee's
11 monthly salary in accordance with W.S. 9-3-211.

12

13 **Section 4.** W.S. 21-13-101(a)(xvi)(A)(I), (B)(I),
14 (C)(I) and (xvii), 21-13-309(m)(v)(B)(I), (V), (C) and
15 (G)(III), 21-13-320(g)(v)(B) and (h)(i) are repealed.

16

17 **Section 5.** W.S. 9-3-201(f), 9-3-203(a)(xiv), (xv) and
18 (xvi), 9-3-207(e), 21-13-309.1(c)(xxxvi), as created by
19 this act, and 21-13-309(m)(v)(F) are repealed.

20

21 **Section 6.** 2011 Wyoming Session Laws, Chapter 185,
22 ATTACHMENT "A", 2012 Wyoming Session Laws, Chapter 99,
23 Section 3, 2017 Wyoming Session Laws, Chapter 205, Sections

1 3 and 4, 2018 Wyoming Session Laws, Chapter 185 Sections 2
2 and 3 and 2025 Wyoming Session Laws, Chapter 108, Section 3
3 are repealed.

4
5 **Section 7.**

6
7 (a) The select committee on school finance
8 recalibration as created by 2025 Wyoming Session Laws,
9 Chapter 140 is hereby continued. As specified in subsection
10 (b) of this section, the select committee shall continue
11 the recalibration study of the education resource block
12 grant model as required by W.S. 21-13-309(t) to ensure the
13 model remains cost-based. The study shall include any
14 potential responses to judicial directives. The legislative
15 service office shall staff the select committee.

16
17 (b) At a minimum, the select committee on school
18 finance recalibration shall study the following areas in
19 the context of K-12 public education:

20
21 (i) Mental health supports, including core
22 counselors, nurses and at-risk pupil support resources. The
23 study shall include consideration of data collected from

1 school years 2024-2025 and 2025-2026 for amounts
2 distributed pursuant to 2024 Wyoming Session Laws, Chapter
3 118, Section 2, Section 331 to schools for mental health
4 services;

5
6 (ii) School safety and security personnel,
7 including employment of school resource officers;

8
9 (iii) School nutrition programs, including the
10 school lunch programs;

11
12 (iv) Technology, including the necessity of one
13 (1) computer for each student for all K-12 public students
14 and district and school-level technology infrastructure and
15 cyber security.

16
17 (c) The select committee on school finance
18 recalibration shall report its recommendations and any
19 associated legislation to the legislature. The select
20 committee may sponsor and introduce legislation as provided
21 in W.S. 28-8-104(e).

22

1 (d) The select committee on school finance
2 recalibration shall remain in existence until December 31,
3 2026. Composition of the select committee and appointment
4 of members shall be as contained in 2025 Wyoming Session
5 Laws, Chapter 140, Section 1(a) and (b). Any vacancy
6 occurring on the select committee shall be filled without
7 delay by the president of the senate or the speaker of the
8 house of representatives, as appropriate.

9
10 (e) The department of education, other state
11 agencies, school districts and the school data advisory
12 committee established under W.S. 21-2-203(d) shall collect
13 and provide information requested by the select committee
14 or professional consultant experts working with the select
15 committee.

16
17 **Section 8.** Five hundred thousand dollars
18 (\$500,000.00) is appropriated from the general fund to the
19 legislative service office to fund the model recalibration
20 study in accordance with section 7 of this act and for the
21 purposes of providing salary, including salary for the
22 chairmen under W.S. 28-5-101(e)(i), mileage and per diem to
23 members of the select committee on school finance

1 recalibration and for other expenses of the select
2 committee authorized by law or policy of the legislature.
3 Funds appropriated under this section expended to conduct
4 the recalibration of the education resource block grant
5 model shall be in accordance with a contractual agreement
6 entered into between the management council and
7 professional consultants. This appropriation shall be for
8 the period beginning with the effective date of this
9 section and ending June 30, 2028. This appropriation shall
10 not be transferred or expended for any other purpose and
11 any unexpended, unobligated funds remaining from this
12 appropriation shall revert as provided by law on June 30,
13 2028.

14

15 **Section 9.**

16

17 (a) Twenty million five hundred sixty-five thousand
18 nine hundred fifty-five dollars (\$20,565,955.00) is
19 appropriated from the public school foundation program
20 account to the department of education-school finance to
21 reimburse school districts for the remaining balance of
22 buses and other student transportation vehicles previously
23 authorized for reimbursement under W.S. 21-13-320. This

1 appropriation shall be for the period beginning with the
2 effective date of this section and ending June 30, 2028.
3 This appropriation shall not be transferred or expended for
4 any other purpose and any unexpended, unobligated funds
5 remaining from this appropriation shall revert as provided
6 by law on June 30, 2028.

7

8 (b) Two hundred sixteen million five hundred thousand
9 dollars (\$216,500,000.00) is appropriated from the public
10 school foundation program account to the department of
11 education-school finance for payments to school districts
12 in accordance with W.S. 21-13-311, 21-13-313(b), (c) and (g),
13 21-13-339 and 21-13-340 to supplement amounts otherwise
14 appropriated by the 2026 legislature in 2026 Senate File
15 0001 for the school foundation program. This appropriation
16 shall be for the period beginning with the effective date
17 of this section and ending June 30, 2028. This
18 appropriation shall not be transferred or expended for any
19 other purpose and any unexpended, unobligated funds
20 remaining from this appropriation shall revert as provided
21 by law on June 30, 2028.

22

23 **Section 10.**

1

2 (a) For the period beginning on the effective date of
3 this section and ending June 30, 2028, three million
4 twenty-six thousand five hundred eighty-seven dollars
5 (\$3,026,587.00) or so much thereof as is necessary is
6 appropriated to the department of administration and
7 information from the separate employee health insurance
8 account established under W.S. 9-3-213(a). The department of
9 administration and information is authorized up to eleven
10 (11) full-time permanent positions. The appropriation under
11 this section shall be expended on the positions authorized
12 by this subsection, support costs, equipment and
13 contracting costs necessary to administer and implement
14 participation in the state employees' and officials' group
15 insurance plan as required under this act. It is the intent
16 of the legislature that, of this appropriation, one hundred
17 thirty-eight thousand eight hundred dollars (\$138,800.00)
18 not be included in the department of administration and
19 information's standard budget for the immediately
20 succeeding fiscal biennium.

21

22 (b) The department of education, in consultation with
23 the department of administration and information, shall

1 collect necessary data from school districts and boards of
2 cooperative educational services to estimate the impact of
3 adding school districts and boards of cooperative services
4 to the state employees' and officials' group insurance plan
5 as required by this act. Each school district and board of
6 cooperative educational services not currently
7 participating in the state employees' and officials' group
8 insurance plan shall report to the department of education
9 an estimated timeline when the school district or board of
10 cooperative educational services will begin participation
11 in the state employees' and officials' group insurance
12 plan, the number of eligible employees and dependents, the
13 number of eligible retired employees and dependents, a
14 three (3) year history of total medical, prescription and,
15 to the extent available, dental claims, incurred and paid
16 by the district, and any other data or information the
17 department of administration and information deems
18 necessary. Each district or board of cooperative
19 educational services shall report the data and information
20 required under this subsection or requested by the
21 department of administration and information to the
22 department of education not later than May 1, 2026.

23

1 (c) Any school district that intends to participate
2 in the state employees' and officials' group insurance plan
3 prior to July 1, 2027 shall notify the department of
4 administration and information one hundred twenty (120)
5 days prior to the date of participation in the state
6 employees' and officials' group insurance plan. The
7 effective date of the plan commences on the first day of
8 the month, one hundred twenty (120) days after notification
9 by the district to the department of administration and
10 information.

11
12 (d) The governor is authorized to borrow from the
13 legislative stabilization reserve account up to eighty
14 million dollars (\$80,000,000.00), in aggregate, as
15 necessary to meet cash flow needs of the separate employee
16 health insurance account established under W.S. 9-3-213(a).
17 The department of administration and information shall
18 establish premiums pursuant to W.S. 9-3-205 to ensure that
19 any funds borrowed from the legislative stabilization
20 reserve account are repaid in full in not less than sixty
21 (60) months from the date funds are first borrowed.
22 Notwithstanding W.S. 9-1-418(b) no interest shall be
23 charged on any interfund borrowing authorized by this

1 subsection. The governor shall report to the joint
2 appropriations committee immediately upon exercise of this
3 authority. This subsection shall only be effective from the
4 effective date of this section until June 30, 2028.

5
6 **Section 11.**

7
8 (a) There is appropriated five million dollars
9 (\$5,000,000.00) from the public school foundation program
10 account to the department of education-school finance to
11 continue the mental health service grant program
12 established through 2024 Wyoming Session Laws, Chapter 118,
13 Section 3, Section 331 for school year 2026-2027. The
14 appropriation under this section is intended to augment
15 amounts made available to school districts within the
16 education resource block grant model to address mental
17 health needs of the K-12 student population. Amounts
18 allocated under this section shall be based on the average
19 daily membership used to compute amounts within the
20 education resource block grant model for school year
21 2026-2027 as amended by section 2 of this act.

1 (b) Each district receiving a grant under this
2 section shall report to the department of education-school
3 finance the expenditure of amounts awarded under this
4 section, the number of students that received services as a
5 result of the grant and the impact of the services provided
6 by the department.

7
8 (c) It is the intent of the legislature that the
9 appropriation in this section not be included in the
10 department of education's standard budget for the
11 immediately succeeding fiscal biennium.

12

1 Section 12.

2

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

5

6 (b) Sections 3 and 5 are effective July 1, 2027.

7

8 (c) Sections 7, 8, 10 and 11 are effective
9 immediately upon completion of all acts necessary for a
10 bill to become law as provided by Article 4, Section 8 of
11 the Wyoming Constitution.

12

13 (END)