

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

K-12 maintenance modification for virtual education.

Sponsored by: Select Committee on School Facilities

A BILL

for

1 AN ACT relating to K-12 public school finance; excluding
2 square footage generated by full-time virtual education
3 students from the routine and major maintenance
4 calculations; specifying applicability; and providing for
5 an effective date.

6

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

8

9 **Section 1.** W.S. 21-13-309(m)(v)(G)(II) and
10 21-15-109(c)(iii)(intro) are amended to read:

11

12 **21-13-309. Determination of amount to be included in**
13 **foundation program for each district.**

1

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

5

6 (v) Based upon ADM computations and identified
7 school configurations within each district pursuant to
8 paragraph (iv) of this subsection, compute the foundation
9 program amount for each district as prescribed by the
10 education resource block grant model as defined under W.S.
11 21-13-101(a)(xiv). The following criteria shall be used by
12 the state superintendent in the administration of the
13 education resource block grant model:

14

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

21

1 (II) Actual gross square footage of
2 education space shall be the gross square footage
3 prescribed by statewide building adequacy standards
4 promulgated pursuant to W.S. 21-15-115, less the gross
5 square footage generated by the ADM of full-time virtual
6 education students, as defined by W.S. 21-13-330(f)(v).
7 Education space capacity in excess of one hundred fifteen
8 percent (115%) of the standard space level shall not be
9 included in actual gross square footage computations under
10 this subdivision.

11

12 **21-15-109. Major building and facility repair and**
13 **replacement payments; computation; square footage**
14 **allowance; use of payment funds; accounting and reporting**
15 **requirements.**

16

17 (c) To compute the major building and facility repair
18 and replacement payment for each district, the department
19 shall:

20

21 (iii) Except as otherwise provided by this
22 paragraph, adjust the total amount of gross square footage

1 determined for educational buildings under subparagraph
2 (c)(ii)(C) of this section by excluding from computations
3 under this section the square footage for those educational
4 buildings closed and not operational as provided for under
5 paragraph (c)(iv) of this section and any amount including
6 the gross square footage of portable buildings, which
7 exceeds capacity levels specified by this paragraph which
8 are above the statewide minimum gross square footage
9 criteria as prescribed by the statewide building and
10 facility adequacy standards promulgated under W.S.
11 21-15-115(a). For the purpose of adjusting the gross square
12 footage of educational buildings under this paragraph, the
13 gross square footage of buildings used for the provision of
14 certified child care, developmental preschool and
15 cooperative education programs pursuant to subparagraph
16 (c)(i)(A) of this section shall not be excluded. For
17 purposes of this section, per student gross square footage
18 criteria prescribed by the statewide building adequacy
19 standards shall be based upon an average daily membership
20 (ADM) computed as defined under W.S. 21-13-101(a)(i) for
21 the prior school year, less ADM generated by full-time
22 virtual education students, as defined by W.S.

1 21-13-330(f)(v). For purposes of computations under this
2 section, the allowable capacity in educational building
3 gross square footage for each district including portable
4 buildings but excluding buildings used for the provision of
5 certified child care, developmental preschool and
6 cooperative education programs pursuant to subparagraph
7 (c)(i)(A) of this section, shall be as follows:

8

9 **Section 2.** W.S. 21-13-309 and 21-15-109, as amended
10 by section 1 of this act, shall apply to routine and major
11 maintenance calculations for school year 2027-2028, and
12 each school year thereafter.

13

14 **Section 3.** This act is effective immediately upon
15 completion of all acts necessary for a bill to become law
16 as provided by Article 4, Section 8 of the Wyoming
17 Constitution.

18

19 (END)