

**Chapter 8: School Foundation Program**  
**Chapter 25: Reimbursable Expenses Pursuant to School District Organization**  
**Chapter 33: Wyoming Bridges Summer School and Extended Day Grant Program**

**STATEMENT OF REASONS**

During the 2017 General Session, the following laws were enacted requiring amendments to Wyoming Department of Education (WDE) Chapter 8 Rules and Regulations:

- 2017 Wyoming Session Laws, Chapter 205 (original 2017 House Bill 236 – School finance-omnibus education funding); and
- 2017 Wyoming Session Laws, Chapter 193 (original Senate File 035 – Virtual education).

W.S. 21-2-202(e) requires the WDE to promulgate rules and regulations governing the administration of the Wyoming education block grant model (the model) as defined by W.S. 21-13-309. It is necessary to promulgate revised permanent rules to ensure the model operates in accordance with current law. A summary of revisions to WDE rules and regulations resulting from statutory changes are included below:

- 2017 House Bill 236 incorporated categorical grant funding for Summer School and Extended Day programs into the model. Chapter 33 Rules and Regulations governed the grant application process and guidelines to determine district eligibility and use of Summer School and Extended Day funds. Due to the repeal of W.S. 21-13-334, Chapter 33 Rules and Regulations are no longer required to determine school district eligibility for financial assistance.
- 2017 House Bill 236 modified the manner in which districts calculate part-time membership for funding purposes. In accordance with the amendments to W.S. 21-13-101(a)(i), the method for calculating membership for students enrolled in a school less than 80% of a full-time equivalency has been limited to a fractional basis. Amendments to Chapter 8 aid school districts in properly calculating student attendance and membership.
- In accordance with recent amendments to W.S. 21-13-309(m)(v)(E)(I), amounts resourced through the school foundation formula for transportation maintenance and operations will transition from a reimbursement process to the average of the amounts received by school districts during school years 2014-15, 2015-16 and 2016-17. The WDE has chosen not to alter existing Chapter 8 and 20 rules for transportation reimbursement to ensure the reporting of uniform and accurate transportation expenditures. Retaining existing rules and regulations for transportation will allow the WDE to calculate the cost savings realized from statutory amendments. Moreover, adhering to existing rules for transportation reimbursement for fiscal reporting

purposes will ensure the proper allocation of resources to school districts if the legislature returns to a reimbursement basis for transportation funding.

- 2017 Senate File 035 modified several aspects of virtual education provided by public K-12 schools. This act set forth the requirement for the WDE to work in consultation with the virtual education advisory committee established by W.S. 21-2-202(a)(xxxi)(F) and the school finance data advisory committee established under W.S. 21-2-203(s) to develop a methodology for computing average daily membership for students participating in virtual education programs. Consistent with revisions made through emergency rules, amendments to Chapter 8 clarify the process for calculating virtual education membership.

Pursuant to Governor Mead's directive to reduce and streamline agency rules, the WDE amended Chapter 8 to eliminate redundant or unnecessary language and provide more detailed guidance on areas that are not clear and concise. A summary of additional Chapter 8 revisions is included below:

- Rules governing reimbursement of school district reorganization expenses have been incorporated into Chapter 8 resulting in the repeal of Chapter 25 Rules and Regulations.
- A new section was added clarifying which school district staff are eligible for National Board Certified Teacher incentive payments under W.S. 21-7-501(f).
- A new section was added to formalize the review of school finance audits performed by the Department of Audit pursuant to W.S. 9-1-513(c). School districts may request a review of audit findings with the WDE before seeking judicial review.
- The title of Chapter 8 was revised from "School Foundation Program" to "School Finance" to reflect the broader scope of rules governing the school finance system.
- The remaining changes in Chapter 8 are limited to formatting and clarifying changes and the elimination of redundant or unnecessary language.