



Wyoming Department of Education

Dr. Jim McBride, Superintendent of Public Instruction

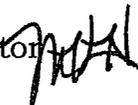
Hathaway Building, 2nd Floor, 2300 Capitol Avenue

Cheyenne, WY 82002-0050

Phone 307-777-7673 Fax 307-777-6234 Website www.k12.wy.us

MEMORANDUM 2007 - 24

TO: School District Superintendents

FROM: Mary Kay Hill, Director Administration Unit 

DATE: January 19, 2007

SUBJECT: Chapter 33, Rules on Wyoming Bridges Summer School, and Extended Day Grant Program

PLEASE READ AND RESPOND AS NECESSARY

Please find enclosed Notice of Intent to Adopt Rules for Chapter 33, Rules on Wyoming Bridges Summer School, and Extended Day Grant Program. The public comment period runs from January 8 through February 21, 2007.

If you have any questions or need further information, please contact Jennifer Duncan at (307) 777-6213.

Thank you.

MKH: jd

Enclosures

NOTICE OF INTENT TO ADOPT RULES

1. Agency: Wyoming Department of Education
Address: Hathaway Bldg., 2nd Fl., 2300 Capitol Ave., Cheyenne, Wyoming 82002-0050
Agency Contact Person for these Rules: Laurel Ballard
Work Phone: 307-777-7016
2. Statement of the terms and substance of the proposed rule or a description of the subjects and issues involved: The Wyoming Department of Education is the state agency charged with promulgating these rules pursuant to 2006 Session Laws, House Bill 0139, Enrolled Act 0023, Chapter 37, Section 3. Emergency rules were promulgated on June 1, 2006. The amendments to the existing rule are necessary to conform the rules to the changes outlined in the above legislation. These rules pertain to grant requirements and application procedures to which school districts must adhere in order to be eligible for summer school, enrichment and extended day grant programs. The new legislation added enrichment programs to the requirements and changed application deadlines. These proposed rules are in response to changes in the law, cover all the required areas and meet minimum substantive state statutory requirements as required by W.S. § 16-3-103(a)(i)(G).
3. Citation to each agency rule being **amended** or repealed: _____
4. If the proposed rules amend existing rules, a copy of the proposed rules in a format that clearly indicates additions to and deletions from existing language may be obtained at: Copies of the proposed rules can be obtained at the Wyoming Department of Education, c/o Jennifer Duncan, Hathaway Building, 2nd Floor, 2300 Capitol Avenue, Cheyenne, Wyoming 82002-0050.
5. Statement of the time when, the place where, and the manner in which interested persons may present their views on the intended action: Please submit comments to Laurel Ballard, Hathaway Building, 2nd Floor, 2300 Capitol Avenue, Cheyenne, Wyoming 82002-0050. The public comment period for these rules runs from January 8, 2007 – February 21, 2007.
6. A public hearing will be held if requested by 25 persons, a governmental subdivision or by an association having not less than 25 members. Requests for a public hearing may be addressed to: Laurel Ballard, Hathaway Building, 2nd Floor, 2300 Capitol Avenue, Cheyenne, Wyoming 82002-0050.
7. Yes ___ No X A public hearing on the proposed rules has been scheduled. If Yes: Date, time and place of scheduled hearing: _____
8. A public hearing will be held if requested by 25 persons, a governmental subdivision or by an association having not less than 25 members. Requests for a public hearing may be addressed to: Laurel Ballard, Hathaway Building, 2nd Floor, 2300 Capitol Avenue, Cheyenne, Wyoming 82002-0050.
9. Yes X No ___ These are New Rules (i.e., these are the first set of rules to be promulgated by the agency after the Legislature's adoption of a new statutory provision or an act significantly amending an existing statute. A new rule is one that is promulgated in direct response to, or that is mandated by, the enacted statute and may involve creation of an entirely new provision in the agency's rules or the repeal or amendment of an existing rule.)

If Yes: Citation to the specific legislation resulting in promulgation of these rules:

10. Yes No These rules are adopted, amended or repealed to comply with federal law or regulatory requirements.

If Yes:

(a) Citation to applicable federal law or regulation:

(b) Indicate one:

The proposed rules meet but do not exceed minimum federal requirements;

or

The proposed rules exceed minimum federal requirements;

(c) Any person wishing to object to the accuracy of any information provided by the agency under this Item 10 should submit their objections prior to final adoption to: _____

If timely objections are submitted the agency will provide the objecting person with a written response explaining and substantiating the agency's position by reference to federal law or regulations.

11. Indicate one: (Required by W.S. 16-3-103(a)(i)(G))

The proposed rule change meets minimum substantive state statutory requirements.

The proposed rule change exceeds the minimum substantive state statutory requirements.

If the rule change exceeds the minimum substantive state statutory requirements, the agency shall include a statement explaining the reason the rule exceeds minimum substantive statutory requirements.

Wyoming Department of Education
**Rules on Wyoming Bridges Summer School, Enrichment, and Extended Day
Grant Program**

CHAPTER 33

Section 1. **Authority.** These rules are promulgated pursuant to 2006 Session Laws, Enrolled Act 23, Section 3.

Section 2. **Applicability.** These rules set forth the grant requirements and application procedures to which districts must adhere to in order to be eligible and apply for financial assistance for the provision of intervention, remediation, and enrichment programs to students beyond required student-teacher contact hours. The rules describe minimum programmatic requirements, timeframes for submitting the application, allocation of funds, and provide definitions. These rules become effective when filed with the Secretary of State.

Section 3. **Promulgation, Amendment or Repeal of Rules.** Any amendment shall become effective as provided by the Wyoming Administrative Procedure Act (W. S. 16-3-101 through 16-3-115).

Section 4. **Definitions.**

(a) "Department" means the Wyoming Department of Education.

(b) "Enrichment" means a learning opportunity engaging students in rigorous higher order thinking through pragmatic and/or real-world application. It incorporates learning through manipulative hands-on experiences relevant to a student's learning style. Enrichment activities are to be provided in conjunction with the regularly scheduled school day, whether during the summer school or during the traditional school year.

(c) "Extended Day" is used to define time before or after the regularly scheduled school day, or a day not regularly scheduled by a district for school to be in session during its approved calendar. Extended day programs must include intervention, remediation and enrichment components.

(d) "Guidelines" mean guidance and instructions issued by the Department which accompany the application for the grant described within these rules.

(e) "Independent Enrichment Program" means an activity or program not specifically imbedded in a district's summer school or extended day programs for students needing supplemental instruction. These opportunities stand alone and can target various student populations and/or content areas beyond mathematics or reading/language arts. Independent enrichment programs are to be added to the

traditional school day, whether in summer school or during the traditional school year.

(f) "Individual Learning Plan for Summer School or Extended Day" is the plan developed for each student receiving summer school or extended day supplemental instruction through this grant and identifies the specific area(s) of proficiency needed to be improved in order to meet statewide content and performance standards or to recover credits for graduation. The plan should focus on a limited number of specific goals that can reasonably be met within the specified time of the program and can be measured in accordance with prescribed guidelines. A clear, concise action plan on how instruction will be delivered should be included.

(g) "Individual Learning Plan for Independent Enrichment" is the plan developed for each student participating in district independent enrichment programs which identifies specific content area(s) to be addressed by the enrichment activity or program. It should identify a limited number of goals that can be measured and met within the specified timeframe of the program.

(h) "Program" as used herein is meant to describe supplemental instruction and enrichment activities/opportunities created by 2006 Session Laws, Enrolled Act 23, Section 3, which provide intervention, remediation, and enrichment to students beyond required student-teacher contact hours. Supplemental instruction and enrichment activities/opportunities may be delivered during a district's traditional summer break, or for schools operating on a year-round calendar, during the intersession, or break between defined school year classroom schedules. Supplemental instruction and enrichment activities/opportunities may also occur in an extended day setting, such as before or after the regularly scheduled school day, or on a day not regularly scheduled for school by the district during in its approved calendar.

(i) "Teacher of Record for Independent Enrichment" programs is the certified teacher who supervises independent enrichment activities offered by school districts. If the enrichment activity will result in the initial attainment of standards or the award of credits to students, the teacher must be certified in the specific content area in which credits are awarded. Otherwise, the teacher of record for independent enrichment programs will not be required to be certified in a specific content area. This teacher will be responsible for the preparation of individual learning plans for students participating in the independent enrichment program.

(j) "Teacher of Record for Summer School" is the certified teacher who delivers instruction to students enrolled in a district's summer school program. A summer school teacher must be certified in the specific content area in which intervention and remedial instruction is being delivered.

Section 5. Programmatic Requirements.

(a) Districts may apply for use of funds to support separate independent enrichment and/or extended day supplemental instruction programs only after they have in place or have requested funds under this authority for a comprehensive K-12 elementary and secondary summer school (or intersession) offering targeted to intervention, remediation, and credit recovery that includes enrichment components.

(i) K-8 districts with charter high schools are eligible to use these grant funds for independent enrichment and/or extended day programs after they have in place a comprehensive K-8 summer school offering targeted to intervention, remediation and credit recovery that includes enrichment components.

(b) Programs made available to summer school students under this authority shall meet the following requirements:

(i) At a minimum, remediation and intervention instruction combined with enrichment opportunities shall be made available in mathematics and reading/language arts.

(ii) Summer school programs must provide the following number of instructional hours:

(A) A minimum of sixty (60) instructional hours to each elementary school student. These total hours may include a combination of instruction in mathematics and reading/language arts;

(B) A minimum of sixty (60) instructional hours *per subject* to each middle or junior high school student, according to the student's needs;

(C) A minimum of sixty (60) instructional hours *per subject* must be made available to each high school student unless the student can demonstrate proficiency prior to receiving the full sixty (60) hours of instruction.

(iii) To the extent practical and reasonable, limit class size to ten (10) students in elementary and to fifteen (15) students in junior high/middle and high school classes.

(iv) Individual student learning plans must be developed, implemented, and evaluated for each student participating in summer school, extended day, or independent enrichment programs funded by this grant.

(v) Teachers providing instruction under this authority shall meet certification standards set forth under the rules and regulations of the Wyoming Professional Teaching Standards Board created under W.S. 21-2-801.

(vi) Teachers providing instruction and teachers of record supervising independent enrichment programs are to receive seven (7) clock hours of training yearly in research-based instructional strategies that focus on individualized instructional approaches for teaching at-risk students.

(vii) The school principal, district superintendent, or designee with administrative certification supervising programs under this authority is to receive training yearly in research-based instructional strategies that focus on individualized instructional approaches for at-risk students.

(viii) To assure effectiveness of teaching and program quality, instruction delivered under this authority shall be monitored regularly by a district superintendent, school principal, or designee with administrative certification trained in research-based instructional strategies that focus on individualized instructional approaches for at-risk students.

(ix) Upon completion of the program, each district shall report to the Department statistical, expenditure, programmatic evaluation, and student achievement data, and provide evidence of appropriate staff development as required by the Department in guidelines.

(c) Application to the Department shall be in a manner and form prescribed by the Department. The Department may request additional information prior to awarding a grant in order to ascertain programmatic compliance with requirements.

(d) Charter schools planning to provide programs separately from their district must adhere to application and programmatic requirements set forth for districts in these rules. Separate application and end of program reports are to be submitted along with documents from their district. Funds will flow from the district to the charter school.

(e) Districts may provide summer instructional programs to students Registered for Kindergarten the following school year. These students will not be counted for the purpose of calculating district award amounts under this grant.

Section 6. Application Requirements.

(a) To receive grant assistance under this rule, a district shall apply to the Department on or before April 15.

(b) The Department will notify districts of eligibility and the amount of funds for which they qualify no later than 15 days after the date set by the Department for submission of grant applications.

(c) The application for programs authorized under this rule must include:

(i) An estimate of the number of students to be enrolled in the intervention and remediation program for which the grant is requested, broken down by grade level, with estimates of average elementary and secondary class sizes;

(ii) A description of program content including subjects offered, hours of instruction, monitoring methodology, and development of student learning plans in accordance with Department guidelines;

(iii) Evidence of specific professional development and training for each program instructor, and supervising principal, superintendent or designee with administrative certification;

(iv) Other requirements set forth as needed by the Department within application guidelines.

Section 7. Allowable Funding.

(a) Payments available under this grant program are for one year only and will be determined for each recipient district based upon the larger of the following amounts:

(i) \$1000.00 per student limited to ten percent (10%) of the district's preceding October 1 elementary and/or secondary enrollment, as applicable; or

(ii) One of the following amounts, whichever is appropriate to district offerings approved to be funded by this grant:

(A) If an elementary summer school program, eleven thousand sixty dollars (\$11,060.00);

(B) If a secondary summer school program, fifteen thousand eight hundred sixty dollars (\$15,860.00);

(C) If a combined elementary and secondary summer school program, twenty-four thousand twenty dollars (\$24,020.00).

(b) An intersession intervention, and remediation, and enrichment program for districts operating on a year-round calendar shall be awarded a grant amount that may not exceed in one calendar year the amount prescribed in Section 7(a) above. Reporting requirements and grant distribution to these districts will be subject to program application guidelines issued by the Department.

Section 8. Allocation of Funds.

(a) A district may contract with another entity to provide services described herein. Districts remain responsible for compliance with all requirements set forth in 2006 Session Laws, Enrolled Act 23, Section 3, and corresponding rules and guidelines. The district shall be the only direct recipient of funds.

(b) Funds will be distributed to districts after the completion of programs approved under this authority, and no later than eight weeks after the receipt and acceptance by the Department of end of program reports. Dates for submittal of final reports will be detailed in Department guidelines.