

Chapter 8: School Foundation Program
Chapter 44: Rules for the Special Education Component
Within the Education Resource Block Grant Model

STATEMENT OF REASONS

During the 2018 Legislative Session, HEA0068 Section 4 directed the Wyoming Department of Education to “*review state statutes relating to special education and its rules relating to special education for any possible fiscal efficiencies. By June 1, 2018, the department of education shall report to the joint education interim committee on its review and shall include suggested changes to statute or rule and any rulemaking conducted as a result of its review.*” Chapter 44 Rules and Regulations have been drafted as a result of this legislation and are also based on a recommendation from the Department of Audit to “*revise rules governing reimbursable expenditures to give clearer guidance on the types of expenditures that would be appropriate to claim for reimbursement on the WDE401.*” This recommendation was made after a blitz audit on special education reimbursements to districts for Fiscal Year 2008-09.

Current guidance in Chapter 8, Section 11(b) is fairly broad, allowing wide interpretation by districts as to what are reimbursable expenditures. This new chapter will provide more detailed guidance to school districts on reimbursable special education expenditures within the Wyoming Education Resource Block Grant Model.

Proposed rules have been vetted through the State Superintendent of Public Instruction's statutory School Finance Data Advisory Committee (SFDAC), Wyoming Association of Special Education Administrators (WASEA), and the Special Education Efficiencies Stakeholder task force. The SFDAC membership is comprised of representatives from school districts, the Department of Audit, the Legislative Service Office and a member from the private Certified Public Accountant community. WASEA membership is comprised of Special Education Directors from each district. The Special Education Efficiencies Stakeholder Task Force is comprised of Special Education Directors, Business Managers, and a representative from a Board of Cooperative Educational Services (BOCES).

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The proposed changes to Chapter 8 are a result of the creation of Chapter 44. The existing language in Chapter 8, Section 11(b) regarding special education reimbursement will be removed. Updated numbering was also needed to Sections 14 through 18 and will now be Sections 12 through 16.