

CREATING
OPPORTUNITIES
FOR STUDENTS TO
KEEP WYOMING
STRONG



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MEMORANDUM NO. 2020-136

TO: School District Superintendents
District Grant Managers
Business Managers

FROM: Shelley Hamel, Chief Academic Officer

DATE: August 26, 2020

SUBJECT: CARES Act Equitable Services Temporary
Recommendation

CARES ACT EQUITABLE SERVICES ORDER OF INJUNCTION

To provide ongoing assistance to districts with equitable services under the CARES Act, the Wyoming Department of Education (WDE) notifies all Wyoming School Districts of a preliminary injunction that has been ordered against the United States Department of Education's (USED) July final rule and April non-regulatory guidance for CARES Act equitable services requirements. This injunction does apply across all states, even though it originated in Washington state.

The preliminary injunction can be found [here](#).

The WDE recommends that all districts that have eligible private schools participating in equitable services under the CARES Act grants refrain from spending more than a Title I methodology calculation amount until the WDE has further guidance from the USED. Following this recommendation will assist districts with avoiding overspending in equitable services and having to pay back the grant funds should the injunction be upheld.

The WDE advises districts to bring this to their legal counsel's attention for continued monitoring. The WDE will provide further instructions as the

situation progresses and information becomes final or reverts back to the USED July final rule or April non-regulatory guidance.

School districts with eligible private schools may need to reach out to the private schools to explain this situation. Additionally, the private schools can reach out to the Equitable Services Ombudsman if more information is needed.

For more information, contact Jess Binning, ESSA Grant Team Supervisor, at jess.binning@wyo.gov or Shannon Cranmore, Equitable Services Ombudsman, at shannon.cranmore@wyo.gov.