



# Wyoming Department of Education

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## MEMORANDUM

**DATE:** October 20, 2008

**TO:** Members, Joint Education Interim Committee

**FROM:** Matthew Willmarth, School Foundation Program Consultant

**SUBJECT:** School Foundation Program Rules and Regulations Update

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### **Authority: Statutes/Legislation**

The Wyoming Department of Education (WDE) is required by W.S. § 21-2-202(e) to promulgate rules and regulations governing the administration of the Wyoming education resource block grant model (Wyoming Funding Model) adopted by the Wyoming legislature as defined under W.S. § 21-13-309.

2008 Wyoming Session Laws, Chapter 95, Sections 5 and 7 (original Senate File 70) required the WDE to adopt necessary rules and regulations to calculate Average Daily Membership (ADM) for distance education students and define actual site acreage for the computation of groundskeeper FTEs in the Wyoming Funding Model.

### **History: Perspective/Process**

With changes made to law in the 2008 Budget Session and other necessary changes needed to govern the administration of the Wyoming funding model, the WDE updated the School Foundation Program Rules and Regulations. Updates include:

- Added, deleted, and modified various definitions to be used throughout the rules and regulations.
- Added school grade reconfiguration process for purposes of funding to allow districts to follow a formal application process.
- Added rules for acreage acquired after July 1, 1997 to be resourced groundskeepers based on School Facilities Commission allowable acreage.
- Aligned retention of School Foundation Program reports with the retention schedule for school districts on file with the Wyoming State Archives office.
- Added standardized process to account for distance education students.
- Modified part-time student ADM calculation to require schools to choose one method for each school for consistency purposes.
- *Added process to adjust prior school year ADM for students who transfer to schools when a district: opens a new school, changes school boundaries, reconfigures grade levels in schools, moves specific programs from one school to*

another along with the students in those programs, or initiates any policy or practice that results in students moving to a different school within the district.

- The process to adjust prior school year ADM is as follows:
  - Funding model ADM computations for new or receiving schools are based on prior school year ADM.
  - For schools sending students to a new or different school due to a school opening, boundary, configuration change, movement of a program, the prior years' ADM is reduced by the number of ADM sent to other (receiving) schools.

**Actions: Participation**

The rules and regulations were reviewed by the School Finance Data Advisory Committee, the State's school finance consultants, the Legislative Service Office, and the Attorney General's Office. Recommendations and suggestions for modifications to these rules were reviewed and incorporated into the final rules and regulations prior to a public hearing on these rules.

**Results: Feedback/Outcomes /Next Steps**

During the public hearing on the rules and regulations on September 9, 2008, two school districts testified that they do not agree with the above process to adjust prior school year ADM when a district opens new schools and students from other schools in the district populate the new school.

The rules and regulations were enacted as emergency rules and regulations July 3, 2008 for 120 days and have been submitted to the Governor's Office for approval as permanent rules.