



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

July 7, 2022

Dennis Holmes
Associate Superintendent of Instructional Support
Campbell County School District #1
1000 West Eight Street
P.O. Box 3033
Gillette, WY 82717-3033

Dear Associate Superintendent Holmes,

Thank you for submitting to the U.S. Department of Education (the Department) your request for an exception to the requirement that Campbell County School District #1 maintain equity in one of its high-poverty schools, Hillcrest Elementary, in fiscal year (FY) 2022.

As you know, section 2004(c)(2) of the American Rescue Plan Act of 2021 specifies that a local educational agency (LEA) need not maintain equity if the LEA “demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in the financial resources of [the LEA], as determined by the Secretary.” An “exceptional or uncontrollable circumstance” might include, for example, increased one-time expenditures in the baseline year (school year 2020-2021) due to the pandemic, a very small school where the maintenance of equity calculations do not result in meaningful information about resource availability, or a significant change in the expenses of a school that no longer serves a student whose educational and support needs required services that have a particularly high cost. Each request for an exception requires a case-by-case review by the Department.

On June 28, 2022, the Department received your request for an exception to the maintenance of equity requirement in one of your high-poverty schools, Hillcrest Elementary, in FY 2022 for two reasons. First, fewer employees at Hillcrest Elementary elected to participate in the district’s health insurance program, which led to a reduction in health insurance costs in FY 2022 compared to FY 2021. Second, based on student needs at both elementary schools, a special education teacher at Hillcrest Elementary shifted to Buffalo Ridge Elementary. This was the result of a decline in students receiving special education services at Hillcrest and an increase in the number of students needing special education services at Buffalo Ridge. In addition, Hillcrest had an open and vacant position in FY 2021 that was eliminated in FY 2022. The district reports that it was not needed or filled in FY 2021.

After reviewing your request, we concur that the reduction in funding at Hillcrest Elementary due to reduced health insurance costs constitutes an uncontrollable circumstance that prevents Campbell County School District #1 from maintaining equity requirement at Hillcrest Elementary in FY 2022. We also concur that the reduction in the special education expenses at Hillcrest Elementary based on changes from year to year in the needs of students with disabilities constitutes an exceptional or uncontrollable circumstance that prevents Campbell County School

District #1 from meeting the maintenance of equity requirement in FY 2022. Accordingly, Campbell County School District #1 is excepted from maintenance of equity requirements in FY 2022.

Thank you again for reaching out to the Department and for your ongoing commitment to maintaining equity. If you have any questions, please contact the Wyoming state mailbox at: Wyoming.OESE@ed.gov.

Sincerely,

Laura Jimenez

Laura Jimenez
Director, Office of State and Grantee Relations
Office of Elementary and Secondary Education
United States Department of Education

CC: The Honorable Brian Schroeder
Superintendent of Public Instruction
Wyoming Department of Education