



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

July 7, 2022

Linda Carter  
Director, Grants and Federal Programs  
Sweetwater County School District #1  
P.O. Box 1089  
Rock Springs, Wyoming 82902

Dear Ms. Carter,

Thank you for submitting to the U.S. Department of Education (the Department) your request for an exception to the requirement that Sweetwater County School District #1 maintain equity in two of its high-poverty schools 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 March 28, 2022, the Department received your request for an exception to the maintenance of equity requirement for your high-poverty schools in FY 2022. According to the materials you provided, you request an exception to maintaining equity because Sweetwater County School District #1 has experienced an LEA-wide reconfiguration of schools that led to uncontrollable changes in student enrollment and full-time equivalent (FTE) staff in FY 2022 compared to FY 2021. Specifically, two schools were closed in the 2021-2022 school year due to declining enrollment. Sweetwater County School District #1 went through a grade-span reconfiguration due to the closures, transitioning from a K-4 and 5-6 elementary school configuration in FY 2021 to a K-3 and 4-6 grade-span configuration in FY 2022. This reconfiguration resulted in significantly increased enrollment in one high-poverty school and significantly decreased enrollment in another high-poverty school, leading to corresponding changes in FTEs.

After reviewing your request, we concur that these events constitute an exceptional or uncontrollable circumstance that prevents Sweetwater County School District #1 from meeting the maintenance of equity requirement in FY 2022 with respect to Desert View Elementary and Eastside Elementary. As a result, Sweetwater County School District #1 is excepted from the local maintenance of equity requirements for 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](mailto: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