

ENROLLED ACT NO. 66, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2023 GENERAL SESSION

AN ACT relating to education; allowing children of active duty military members to transfer to any public school within a school district as specified; requiring reporting; making a conforming amendment; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 21-4-302.2 is created to read:

**21-4-302.2. Enrollment and transfer for children of active duty military members; discrimination.**

(a) As used in this section, "active duty military" means full-time duty status in the active uniformed services of the United States. The term does not include members of the national guard and reserve on active duty orders.

(b) Once enrolled in a public school within the school district, any pupil whose parent or guardian is an active duty military member may transfer enrollment from one (1) public school within the school district where the pupil resides to another public school within the same district at any time, except as otherwise provided in subsection (c) of this section. A transfer of enrollment under this subsection shall require that the active duty military member provide proof of having filed an official complaint with a military base equal opportunity office describing discrimination against the pupil seeking the transfer of enrollment.

(c) A school district may decline to transfer a pupil seeking a transfer under this section in a particular public school within the district if the pupil seeking a

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transfer of enrollment has been suspended or expelled or is in the process of being suspended or expelled under W.S. 21-4-305 through 21-4-306.

(d) Not later than ten (10) days after a school district declines to transfer a pupil seeking a transfer under subsection (c) of this section, a school district shall report its denial to the state superintendent of public instruction.

(e) Nothing in this section shall be construed to require a particular public school to offer additional programs, alter the structure or equipment of the necessary facilities to meet any special needs of a pupil, offer a particular program or alter eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.

(f) Any parent or guardian who is an active duty military member aggrieved by a decision of the school district under subsection (c) of this section, may seek review in accordance with the Wyoming Administrative Procedure Act. In accordance with W.S. 16-3-112, the review of a decision of the school district shall be before the state superintendent of public instruction.

**Section 2.** W.S. 21-3-110(a) by creating a new paragraph (xl) is amended to read:

**21-3-110. Duties of boards of trustees.**

(a) The board of trustees in each school district shall:

ORIGINAL SENATE  
FILE NO. SF0123

ENGROSSED

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(xl) Review and make a written determination whether a transfer of enrollment shall be granted or denied under W.S. 21-4-302.2. The written determination shall be made within ten (10) business days after receiving a request to transfer a pupil to a particular public school under W.S. 21-4-302.2.

**Section 3.** This act is effective July 1, 2023.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk