

SENATE FILE NO. SF0109

Open enrollment within Wyoming school districts.

Sponsored by: Senator(s) Brennan, Boner and Olsen and
Representative(s) Andrew, Bear, Harshman and
Lawley

A BILL

for

1 AN ACT relating to education; allowing children to enroll
2 in any public school within their resident school district
3 as specified; providing exceptions; providing priority for
4 specified students; requiring reporting by school
5 districts; amending the duties of the school district board
6 of trustees; requiring the state superintendent of public
7 instruction to publish reported information; making
8 conforming amendments; and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 21-2-202(a) by creating a new
13 paragraph (xli), 21-3-110(a) by creating a new paragraph
14 (xliv), 21-4-301 by creating new subsections (c) through
15 (f) and 21-4-303 are amended to read:

1

2 **21-2-202. Duties of the state superintendent.**

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4 (a) In addition to any other duties assigned by law,
5 the state superintendent shall:

6

7 (xli) Annually publish on the department's
8 official website the information reported by each school
9 district board of trustees under W.S. 21-3-110(a)(xliv).

10

11 **21-3-110. Duties of boards of trustees.**

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

15

16 (xliv) Adopt policies and procedures allowing
17 any pupil to enroll in any public school within the pupil's
18 resident school district as required by W.S. 21-4-301 and
19 in accordance with this paragraph. A pupil shall apply to
20 be enrolled in a public school within a pupil's resident
21 school district on a form and in the manner prescribed by
22 the school district board of trustees. Priority shall be
23 given to pupils who attended the school the previous year,

1 pupils who reside within the school attendance area as
2 defined by W.S. 21-4-301(c)(ii), pupils participating in a
3 school based education program and pupils who have siblings
4 currently enrolled in that public school. Any parent or
5 guardian aggrieved by a decision of the school district
6 under this paragraph may seek review in accordance with the
7 Wyoming Administrative Procedure Act.

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9 **21-4-301. Schools to be free and accessible to all**
10 **children; minimum school year; open enrollment.**

11
12 (c) Commencing with school year 2026-2027 and each
13 school year thereafter, the board of trustees of each
14 school district within the state shall provide for the
15 enrollment of any pupil in any public school within the
16 pupil's resident school district, except as otherwise
17 provided in subsection (d) of this section. For purposes of
18 this subsection:

19
20 (i) "Resident school district" means the school
21 district where the pupil resides;

22

1 (ii) "School attendance area" means a geographic
2 area designed by a school district to determine which
3 public school a pupil is eligible to attend within their
4 resident school district.

5
6 (d) The board of trustees of each school district may
7 decline to enroll a pupil in a public school within the
8 pupil's resident school district for the following reasons:

9
10 (i) The public school does not have sufficient
11 capacity at the appropriate grade level as determined by
12 the school district; or

13
14 (ii) The pupil has been suspended or expelled or
15 is in the process of being suspended or expelled under W.S.
16 21-4-305 and 21-4-306.

17
18 (e) In implementing the provisions of subsection (c)
19 of this section, no school district board of trustees shall
20 be required to establish and offer any particular program
21 in a public school if the program is not currently offered
22 in the school. No school district shall be required to
23 provide transportation to a student who enrolls at a school

1 pursuant to the rights provided by this section and W.S.
2 21-3-110(a)(xliv) when the student would not otherwise be
3 provided transportation under the school district's
4 transportation policies.

5
6 (f) The board of trustees of each school district
7 shall publish the number of vacancies open for enrollment
8 in each grade level for each public school within its
9 district on its official website not less than one (1) time
10 every twelve (12) weeks.

11
12 **21-4-303. Right not denied on account of sex, race,**
13 **religion, socioeconomic status, ethnicity, disability or**
14 **residential address.**

15
16 No child shall be denied the right to attend the public
17 schools of this state on account of sex, race,
18 socioeconomic status, ethnicity, disability, residential
19 address or religion.

20
21 **Section 2.** This act is effective July 1, 2026.

22
23 (END)