

# **Certification Page**

| ***                             | Emergency Rules (   | Complete Sections 1-3 and 5-6) | Regular Ru                         | lles                                  |              |
|---------------------------------|---|--------------------------------|------------------------------------|---------------------------------------|--------------|
| 1. General Information          |   |                                |                                    |                                       |              |
| a. Agency/Board Name            |   |                                |                                    |                                       |              |
| b. Agency/Board Address         |   | c. City                        |                                    | d. Zip Code                           |              |
| e. Name of Agency Liaison       |   | f. Agency Liais                | f. Agency Liaison Telephone Number |                                       |              |
| g. Agency Liaison Email Address |   |                                | h. Adoption Date                   |                                       |              |
| i. Program                      |   |                                |                                    |                                       |              |
|                                 | nt For purposes of this Section 2, ously addressed in whole or in par |                                |                                    | •                                     |              |
|                                 | r regular rules new as per the above                                  | •                              | •                                  | · · · · · · · · · · · · · · · · · · · | rai manuate. |
|                                 | f the rules are new, please provide                                   |                                |                                    |                                       |              |
|                                 | ears Enacted (e.g. 2015 Session<br>mation For purposes of this Secti  |                                | v or regular rule that has         | never been previous                   | sly created. |
|                                 | r, Title* and Proposed Action for E                                   |                                | -                                  |                                       | -            |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |
| Chapter Number:                 | Chapter Name:   |                                | New                                | Amended                               | Repealed     |

<sup>\*</sup> If the <u>name</u> of a chapter of rules is changing, please only provide the NEW chapter name on this rules certification form.

| 4. Public Notice of Intended Rulemaking   |                           |  |           |  |  |  |  |
|---|---------------------------|--|-----------|--|--|--|--|
| a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. Vo. No. Yes. N/A   |                           |  |           |  |  |  |  |
| b. A public hearing was held on the proposed rules. No. Yes. Please complete the boxes below.   |                           |  |           |  |  |  |  |
| Date:   | Time:                     | City:  | Location: |  |  |  |  |
| 5. Checklist  |                           |  |           |  |  |  |  |
| a. For regular rules, the Statement of Principal Reasons is attached to this Certification and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule  b. For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.  |                           |  |           |  |  |  |  |
| 6: Agency/Board Certific  | <u>ation</u>              |  |           |  |  |  |  |
| The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.  Signature of Authorized Individual |                           |  |           |  |  |  |  |
|   |                           | for  |           |  |  |  |  |
| Printed Name of Signatory   | Jillian Balo <del>∜</del> | Jillian Balow Dick, Shanar San   |           |  |  |  |  |
| Signatory Title   | State Super               | Jillian Balow Dick, Shanar for<br>State Superintendent of Public Instruction |           |  |  |  |  |
| Date of Signature   | August 2                  | August 2, 2019   |           |  |  |  |  |
| 7. Governor's Certification   |                           |  |           |  |  |  |  |
| 1. Are within the scope of the statutory authority delegated to the adopting agency; 2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules, 3. Are necessary and that I concur in the finding that they are an emergency.  Therefore, I approve the same.   |                           |  |           |  |  |  |  |
| Governor's Signature  |                           |  |           |  |  |  |  |
|   |                           |  |           |  |  |  |  |
| Date of Signature   |                           |  |           |  |  |  |  |



#### **JILLIAN BALOW**

Superintendent of Public Instruction

DICKY SHANOR

Chief of Staff

**TO:** Honorable Mark Gordon, Governor State of Wyoming

FROM: Shelley Hamel, Chief Academic Officer

**SUBJECT:** Emergency Rules: Chapter 46 – Early Childhood Community Collaboration Grant

**DATE:** August 2, 2019

PRIORITY: HIGH

**SUMMARY:** The Wyoming Department of Education is proposing emergency rules in response

to new legislation for the creation of Chapter 46 - Early Childhood Community Partnership Grant. The specific rationale for the emergency rules is described in the attached Certification Page as well as the Statement of Reasons. There is no difference between the content of the regular rules and emergency rules. These

rules contain no controversial content.

**AGENCY CONTACT NAME:** Thom Jones

**AGENCY CONTACT PHONE:** 307-777-5674

AGENCY CONTACT EMAIL: thom.jones@wyo.gov

## Chapter 46 – Emergency Rules Early Childhood Community Collaborative Grant

#### Statement of Reasons

HEA No. 0051, section 339 of the 2019 legislative session requires the Wyoming Department of Education (WDE) to work collaboratively with the Governor's Early Childhood State Advisory Council to oversee funds directed to early childhood. The collaborative work will establish rules and implement and evaluate grants awarded to eligible school districts or other nonprofit service providers to facilitate community early childhood collaboratives that promote high standards for early learning opportunities and maximizing use of resources.

The WDE is requesting the adoption of emergency rules establishing a process to award Early Childhood Community Collaboration Grants to early childhood providers. The WDE will concurrently move forward with promulgation of identical regular rules for the newly drafted and proposed Chapter 46 rules.

An emergency situation was created with the timeline of the bill passage and the language of the bill requiring the WDE, working collaboratively with the Governor's Early Childhood State Advisory Council, to award one-time appropriated grants to applicants for use during the 2019-2020 school year and to report distribution of the grant funds to the Joint Education Interim Committee by October 1, 2019.

Due to the tight timeline and statutory requirements, any delay in establishing rules could make it difficult for grant recipients to intentionally plan for and use awarded funds in the most meaningful way allowing for the greatest impact for young children.

Emergency rules will allow the WDE to move forward with the process of announcing the grant availability, receive applications and award funds to selected applicants within a timeline that allows for early childhood providers to prepare for and implement programs intended to have meaningful impact for our young learners.

Failure to move forward with emergency rules will make it impossible for districts and organizations to apply for and access funds in time for use this school year as intended.

## Chapter 46 Early Childhood Community Collaborative Grant

### Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules.

**Section 1. Authority.** These rules are promulgated pursuant to 2019 House Enrolled Act 51, Section 339; 2019 Wyoming Session Law 294.

#### Section 2. Definitions.

- (a) "Early Childhood" means the years between one (1) and eight (8) years of age.
- (b) "Early Childhood Community Collaborative Grant Administrator" means the agency, agency director, or agency staff who oversees the Early Childhood Community Collaborative Grants.
- (c) "Early Childhood Community Collaborative Grant Committee" means a group of individuals consisting of personnel from the Department of Education and the Governor's Early Childhood State Advisory Council.

#### Section 3. Grant Eligibility.

- (a) Eligible applicants will be a Wyoming school district, agency, or non-profit organization registered to do business with the Secretary of State's office with:
- (i) The capacity to facilitate, or a history that demonstrates facilitation of, broad-based community collaboration with the intent to provide services to all children and their families to ensure that children are ready to be successful in school;
- (ii) A demonstrable and in-depth knowledge of the early education system in its community;
- (iii) A demonstrable and in-depth knowledge of high standards for early learning opportunities and ability to maximize resources.
- (iv) A demonstrable ability to provide an in-kind or monetary four to one match of total funds requested.
- (b) Applicants will be eligible for a maximum of \$50,000 that will be used to supplement, not supplant, early childhood education and receive funding one (1) time during the grant period.

- **Section 4. Application.** The grant application will be filled out completely, submitted to the Department, and will include:
- (a) A project proposal that clearly expresses and depicts the applicant's and the community's commitment to ensure that all children are ready to be successful in school by:
- (i) Facilitating regular and on-going communication and collaboration between the community's early childhood stakeholders including broad outreach to and a minimum of participation from families, kindergarten teachers, school district administrators, early childhood education professionals and teachers, and health professionals; and
- (ii) Obtaining data and strengths-based evaluation from the community to inform and evaluate actions;
- (b) A community description containing information about the community, including:
  - (i) A definition of community boundaries and the population that may be served with grant funds;
    - (ii) Defining characteristics of the identified community; and
  - (iii) An overview of community needs and existing resources that includes data and strengths-based evaluation.
- (c) An overview of existing and planned community collaborative that details existing and past efforts to engage early childhood partners in the community as well as the strategy for continued broad-based community engagement. Partners will include, but not be limited to:
  - (i) Families;
  - (ii) Early childcare providers and education professionals; and
- (iii) Representation from the K-12 education system such as teachers, school district administrators, and staff.
- (d) A list and narrative of the actions that connect to the community's needs and commitment to ensure that all children are ready to be successful in schools. Actions may include, but are not limited to those that:
- (i) Facilitating regular and on-going communication and collaboration between the community's early childhood stakeholders including broad outreach to and

participation;

- (ii) Supporting families as their children's first and most important guide and teacher by providing resources, trainings, events, or support groups;
- (iii) Assisting and providing support to families to enroll their children in early childhood education programs where they are served in home visiting programs or in licensed child care facilities;
- (iv) Extending developmentally appropriate education services, events or materials for all children and their families in the community;
- (v) Defraying the costs of additional or more qualified teaching staff, appropriate education materials and equipment to improve the quality of educational experiences offered to young children and families;
- (vi) Supplementing or covering the costs of professional development and age-appropriate child assessment for individuals and programs working with young children;
- (vii) Administering, implementing, monitoring and evaluating the early childhood collaborative and individual programs; and
- (viii) Increasing the public's understanding of and support for early childhood work.
- (ix) Include a request for any technical assistance or training that increases and supports the community's work to achieve positive outcomes.
  - (x) Include a Cost Proposal providing:
- (A) A detailed operational budge showing expenditures and income and an in-kind or monetary match of four to one of total funds requested; and
  - (B) A budget narrative.

#### Section 5. Grant Award Process.

- (a) Each application will be reviewed by the Early Childhood Community Collaborative Grant Committee.
  - (b) The Committee will evaluate only completed applications.

- (c) The Department will award grants after reviewing recommendations from the Committee and will have the final decision.
- (d) The Department may conduct a cost analysis of the applicant's budget proposal. The analysis will include a review of the associated costs based on the technical content of its submission.
- (e) Applicants may be asked to submit additional information in order to clarify their proposals.
- (f) Grant awards will be made during the 2019-2020 school year through contracts with the Department.
- (g) The Department, in consultation with the Early Childhood Community Collaborative Grant Committee, will determine whether to award all or a portion of the funds requested in the application.
- **Section 6. Grantee Responsibilities.** The grantee will execute the grant agreement provided the state.

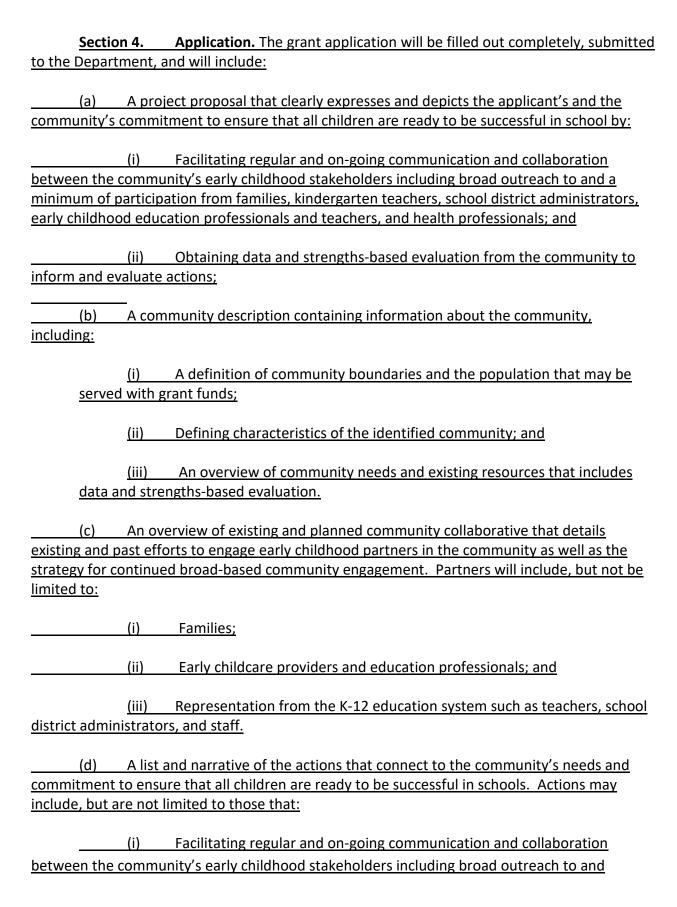
#### Section 7. Termination of Grant.

- (a) The Department reserves the right to terminate the contract if the Early Childhood Community Collaborative Grantee fails to perform in accordance with the conditions of the application or contract.
- (b) Any grantee who is terminated from the grant program will repay to the Department the grant amount as outlined in the grant agreement.

#### <u>Chapter 46</u> Early Childhood Community Collaborative Grant

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### participation; Supporting families as their children's first and most important guide and teacher by providing resources, trainings, events, or support groups; Assisting and providing support to families to enroll their children in early childhood education programs where they are served in home visiting programs or in licensed child care facilities; Extending developmentally appropriate education services, events or materials for all children and their families in the community; (v) Defraying the costs of additional or more qualified teaching staff, appropriate education materials and equipment to improve the quality of educational experiences offered to young children and families; Supplementing or covering the costs of professional development and age-appropriate child assessment for individuals and programs working with young children; Administering, implementing, monitoring and evaluating the early childhood collaborative and individual programs; and (viii) Increasing the public's understanding of and support for early childhood work. (ix) Include a request for any technical assistance or training that increases and supports the community's work to achieve positive outcomes. (x) Include a Cost Proposal providing: (A) A detailed operational budge showing expenditures and income and an in-kind or monetary match of four to one of total funds requested; and (B) A budget narrative. Section 5. **Grant Award Process.** Each application will be reviewed by the Early Childhood Community Collaborative Grant Committee. (b) The Committee will evaluate only completed applications.

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