

WYOMING STATE BOARD OF EDUCATION

May 18, 2018

Teleconference

Wyoming State Board of Education members present: Chairman Walt Wilcox, Sue Belish, Max Mickelson, Dicky Shanor (proxy for State Superintendent Balow), Ryan Fuhrman, Dan McGlade, Ken Rathbun, Scotty Ratliff, Dean Ray Reutzler, Robin Schamber, and Nate Breen.

Members absent: Jim Rose, Kathryn Sessions, and Forrest Smith.

Also present: Kari Eakins, WDE; Dr. Tom Sachse, SBE Coordinator; Dr. Julie Magee, WDE; Dr. Laurel Ballard, WDE; Elaine Marces, WDE; Mackenzie Williams and Adam Leuschel, Attorney General's Office (AG); Kathy Scheurman, WEA; Superintendent Boyd Brown, Campbell #1; Superintendent Diana Clapp, Fremont #6; Brian Farmer, Wyoming School Boards Association; and Jeff Verosky, Wyoming Virtual Academy.

May 18, 2018

CALL TO ORDER

Chairman Wilcox called the State Board of Education to order at 8:03 a.m.

Kari Eakins conducted roll call and established that a quorum was present.

APPROVAL OF AGENDA

Ken Rathbun moved to approve the agenda, seconded by Max Mickelson.

Dr. Sachse recommended that the WAEA report be incorporated into the Interim Topics under the Coordinator's report. The agenda was approved as amended.

GUEST PRESENTATION

The SBE received a presentation from Rebecca Watts, the executive director of the University of Wyoming Trustees Education Initiative.

Nate Breen asked Dr. Watts how they were hoping to incentivize classroom teachers to serve as mentors. Dr. Watts said they are still exploring the possibilities. Ryan Fuhrman wanted more information on the Educator Rising competition. Dr. Watts explained the categories established by the national organization, including content areas and how the students would be judged in the competition. The SBE discussed the need to encourage more students to join the teaching profession.

APPROVAL OF MINUTES

Minutes from the April 19-20, 2018 State Board of Education meeting were presented for approval.

Robin Schamber moved to approve the minutes, seconded by Ryan Fuhrman; the motion carried.

TREASURER'S REPORT

SBE Treasurer, Max Mickelson, presented the summary review and expenditures report for the SBE's budgets, and went over the remaining balances and time left in the current biennium.

The SBE discussed the amount of funds still remaining in their budget and asked for encumbrance deadlines for the biennium. Dr. Magee informed the board that the WDE would need to be notified of any encumbrances by June 12, 2018, and encouraged any contract work to begin as soon as possible. Chairman Wilcox informed the board that contracts for the PJP and the board coordinator are gathering final signatures.

Sue Belish moved to approve the Treasurer's Report, seconded by Ryan Fuhrman; the motion carried.

SUPERINTENDENT'S UPDATE

Dicky Shanor, proxy for State Superintendent Balow, presented the Superintendent's Update. He informed the board that the WDE has completed its move to the Herschler East Building. He also provided information on the WDE's computer science initiative, Boot Up Wyoming 2022, as well as the WY-TOPP summative testing window, and the start of the next phase of the Professional Learning Communities training as part of the Statewide System of Support.

Sue Belish asked which schools were chosen for the PLC initiative. Dicky offered to have the information sent to the board. Ryan Fuhrman said his local school board was concerned about the delay in getting scores back for WY-TOPP. The WDE discussed the formation of the timeline for working with the new assessment vendor, and discussed the need for additional communications to school districts regarding the release of data in the first year of the new assessment. Dr. Magee explained the process for receiving raw data, standards setting, setting cut scores, and reviewing the confidential student data.

Chairman Wilcox wanted to know if there were any issues with accommodations, and asked for more information from the Standards and Assessment Division.

COORDINATOR'S REPORT

Governance Policies Sections 1-7

Dr. Tom Sachse, SBE Coordinator presented proposed revisions to the SBE's Policies of Governance in sections 1-7.

Sue Belish mentioned her hesitancy regarding the sentence on a board member needing to be excused from a meeting by the board chair in the Section 5 Policy Statement. Ken Rathbun said he did not believe the excused absence language was necessary in the same section. Chairman Wilcox recommended removing those areas from the policy statement and Nate Breen agreed.

Update on BETA Contract

Dr. Sachse and Dr. Julie Magee presented on the status of the BETA contract. The contract is gathering final signatures and Dr. Magee will execute the paperwork to have the funds encumbered out of the current Fiscal Year. Dr. Sachse discussed the possibility of encumbering additional funds for the PJP meeting expenses. Dr. Magee went over the anticipated expenses for the PJP meeting and the timeline for submitting accountability reports to the Joint Education Interim Committee.

Interim Topics

Dr. Sachse presented three reports for submittal to the Joint Education Interim Committee.

Dr. Sachse presented the draft memo on Education Accountability and confirmed with the SBE that Phase II Teacher Accountability is considered less flexible than the parallel statute for leader accountability, particularly regarding the requirement to have teacher evaluations tied to standardized test scores. Sue Belish discussed the change in education landscape with the additional flexibility in federal accountability law and the need to explain the historical context of the teacher accountability statute. Nate Breen expressed his concern that local school boards will not be held accountable for leader accountability. Chairman Wilcox recommended adding that concern to the JEIC memo, Sue disagreed and said she would rather make adjustments to the Chapter 29 rules to address this issue. Dr. Sachse proposed circling back to the language in this memo after the SBE had taken action on Chapter 29.

Dr. Magee presented the draft joint memo on Chapters 6, 10, and 31 from the WDE, SBE, and Office of the Attorney General. Dr. Sachse and Sue Belish expressed the importance of the collaborative effort on the memo, and several board members agreed.

Dr. Sachse presented the draft memo on the State's Educational Program, and expressed his concerns that the tone has too much edge to it and that it is too long. Sue Belish recommended trimming the section on education governance context and going into less detail on the three recent reports, including removing some of the quotes. Several board members agreed. Nate Breen expressed his concern that the tone of the memo contained too much commentary. The SBE discussed the need to convey concerns about adding to the basket of goods while reducing school district budgets, the wish to convene a constituency group to provide recommendations on changes to the basket, and the list of recommendations to the JEIC.

SBE COMMITTEE REPORTS

Administrative Committee

Sue Belish asked for questions on the Administrative Committee Summary. Ryan asked about the potential change to the June/July meeting. Dr. Magee discussed the WDE's request to revise the SBE meeting schedule to better facilitate the promulgation of Chapter 6, 10, and 31 rules.

Communications Committee

Ryan Fuhrman presented the Communications Committee Summary and discussed the work with Wyoming Public Radio to do a story on the rule promulgation process and the importance of public comment.

ACTION ITEMS

Alternative Schedules

WDE consultant Elaine Marces presented the requests from school districts for an alternative schedule, showing that eight additional school districts have submitted all required materials requesting approval from the SBE to implement an alternative school schedule.

Sue Belish moved to approve the request for an alternative schedule for Albany County School District No. 1, seconded by Robin Schamber, the motion carried.

Nate Breen moved to approve the request for an alternative schedule for Converse County School District No. 1, seconded by Ryan Fuhrman, the motion carried.

Sue Belish moved to approve the request for an alternative schedule for Crook County School District No. 1, seconded by Ryan Fuhrman, the motion carried. Ken Rathbun abstained from the vote.

Ken Rathbun moved to approve the request for an alternative schedule for Fremont County School District No. 6, seconded by Robin Schamber, the motion carried.

Sue Belish moved to approve the request for an alternative schedule for Fremont County School District No. 24, seconded by Ryan Fuhrman, the motion carried.

Robin Schamber moved to approve the request for an alternative schedule for Natrona County School District No. 1, seconded by Ryan Fuhrman, the motion carried. Chairman Wilcox abstained from the vote.

Sue Belsih moved to approve the alternative schedule for Uinta County School Districts No. 4 and No. 6, seconded by Ryan Fuhrman, the motion carried.

Ken asked if Crook 1 had previously been approved. Elaine confirmed that they had and were included by accident.

Sue Belish requested a comprehensive list of all school districts that have been approved for an alternative schedule within the last two years. Chairman Wilcox asked if there is a process in place to remind school districts of the requirement to submit a letter for the second year they have been approved for, and Elaine confirmed that the WDE does contact those school districts to follow up.

Chapter 29 – Leader Evaluation

Dr. Laurel Ballard, WDE Student/Teacher Resources Supervisor, presented the work of the Certified Personnel Evaluation System (CPES) Advisory Panel for Leaders and Regional Educational Laboratory (REL) Central to the SBE. Dr. Ballard reviewed the comparison of elements of State Defined vs. Locally Designed Evaluation Systems.

Nate asked if leaders could be assured that the people evaluating them would have full understanding of the evaluation system being utilized. Dr. Ballard said this area was one where the most feedback was received, with a wide spectrum of opinions on what the requirement should be.

Sue Belish asked for continuity in the language in the assurances regarding “has or will”, and Dr. Ballard agreed to make those changes. She also asked why there are additional requirements for locally designed evaluation systems. Dr. Ballard explained that the extra requirements are so the board can have information to approve the locally designed evaluation systems.

Chairman Wilcox asked for public comment.

Diana Clapp, Superintendent in Fremont #6, commented that the proposed rules seem extensive and she wonders if they are necessary in light of changes in federal and state accountability laws that restore local control. She asked for clarity in the definitions of certified personnel and research based, and the use of multiple measures. She requested that the SBE ask for a change to W.S.21-3-110(b), and expressed concerns about the fidelity of the implementation of the evaluation systems.

Brian Farmer, Wyoming School Boards Association, commented that he appreciates the flexibility added in the most recent changes to the proposed rules. He expressed hesitancy about the assurance deadline of November 1 just before elections on November 6, 2018, and the possibility of board turnover immediately following the assurance deadline. He also mentioned that there will be turnover in ten district superintendents, and also wondered if interim superintendents would be required to be evaluated using this system.

Boyd Brown, Superintendent in Campbell #1, also expressed concern about the November 1 deadline, saying it would be very difficult for those deadlines to be met.

Sue Belish asked about the statutory requirements for rule promulgation and consequences for not meeting the deadline. Mackenzie responded that there are no consequences, although the legislature might not be pleased. Sue commented that she would rather get the rules right, then just get them done, and that she is uncomfortable with some of the language in the rules.

Chairman Wilcox commented that the rules are progressing, but he feels like the board is being pressured to adopt the rules before they are ready because of the statutory deadline of July 1, 2018. Mackenzie Williams provided information on the rule promulgation process for both emergency and regular rules.

Dr. Ballard clarified that the definition of research based only applies to the teacher evaluation, which is also part of Chapter 29, and that the WDE collects all assurances on November 1 because of several other statutory requirements for other assurances.

Scotty Ratliff said he would like to avoid delaying rule promulgation and would like to hear suggestions for solutions from those with concerns.

Sue Belish asked for clarification of the requirements around measurements and Dr. Ballard reviewed the definition of "multiple measures" in the definitions section of the proposed rules.

Dicky Shanor asked if it would be beneficial to pull the CPES advisory committee together within the next month to work through the details of the concerns.

Max Mickelson moved to promulgate Emergency Chapter 29 Rules on Evaluation Systems for District and School Leaders and other Certified Personnel as presented, seconded by Dan McGlade, the motion failed with Max Mickelson, Ryan Fuhrman, and Dan McGlade voting for the motion and Chairman Wilcox, Sue Belish, Superintendent Balow (proxy Shanor), Ken Rathbun, and Robin Schamber voting against the motion.

Chairman Wilcox asked if the CPES advisory committee could meet again. Dicky suggested that those who expressed concerns today attend the next advisory committee meeting or provide a letter containing additional information either showing support or requesting specific changes. Chairman Wilcox and Dr. Sachse agreed to work with Dr. Ballard on identifying specific concerns with stakeholder groups.

Approval of Governance Policies Sections 1-7

Sue Belish moved to approve the revisions to the SBE Policies of Governance in sections 1-7, seconded by Ken Rathbun, the motion carried.

Coordinator's Contract

Sue Belish moved to approve the Coordinator's Contract for Dr. Sachse as presented, seconded by Robin Schamber, the motion carried, with Superintendent Balow (proxy Shanor) voting against.

Technology Device for SBE Coordinator

Sue Belish moved to approve the purchase of a new electronic device for the SBE Coordinator, seconded by Chairman Wilcox, the motion carried.

June/July Meetings

Sue Belish moved to change the July meeting date for the SBE to July 12, 2018 via teleconference, seconded by Ken Rathbun, the motion carried.

Membership Dues for NASBE and WY School Boards Association

Sue moved, Robin seconded, the motion carried, with Scotty Ratliff voting against.

OTHER ISSUES, CONCERNS, DISCUSSION, PUBLIC COMMENT

Sue Belish discussed the need to begin discussion on the trigger for standards review and wished Chairman Wilcox a happy birthday.

NEXT MEETING

The board's next meeting will take place on June 21, 2018 via teleconference.

The State Board of Education adjourned at 12:56 p.m.