

**FY 2019 PERKINS IV BUDGET FORMAT**  
**(For Federal Funds that Become Available Beginning on July 1, 2018)**

**STATE NAME: Wyoming**

<b>Item</b>	<b>Amount</b>
<i>(Note: Insert dollar amounts or values where requested with lines below)</i>	
<b>Title I-State Basic Grant</b>	
<b>Title I Allocation</b>	<b>\$ 4,693,077</b>
<b>Title II Funds Consolidated with Title I Funds</b>	
<b>Total Title I Funds (Title I Allocation + Consolidated Title II Funds)</b>	<b>\$4,693,077</b>
<b>Local Formula Distribution (not less than 85% of total Title I funds)</b>	<b>\$3,989,115</b>
<i>Reserve (not more than 10% of the 85% of funds for local distribution)</i>	\$ N/A
<i>Remainder for local distribution (85% of the funds for local distribution less any funds reserved)</i>	<b>\$3,989,115</b>
Secondary programs ( 60% of funds)	\$ 2,393,469
Postsecondary programs ( 40% of funds)	\$ 1,595,646
<b>State Leadership</b>	<b>\$ 453,962</b>
<i>Nontraditional training and employment (between \$60,000 and \$150,000)</i>	\$ 80,000
<i>Corrections or institutions (not more than 10%of state leadership funds)</i>	\$ 38,223
<b>State Administration</b>	<b>\$ 250,000</b>
<b>State Administrative Match (from non-federal funds)<sup>1</sup></b>	<b>\$ 416,732</b>

<sup>1</sup> The eligible agency must provide non-federal funds for State administration of the Perkins IV, Title I grant in an amount not less than the amount it provided in the preceding year pursuant to section 323 of Perkins IV.



**WYOMING  
STATE BOARD  
OF EDUCATION**

## ACTION SUMMARY SHEET

DATE: July 12, 2018

ISSUE: Approval of Agenda

BACKGROUND:

SUGGESTED MOTION/RECOMMENDATION:

To approve the Agenda for the July 12, 2018 State Board of Education meeting.

SUPPORTING INFORMATION ATTACHED:

- Agenda

PREPARED BY: Kylie Taylor  
Executive Assistant

ACTION TAKEN BY STATE BOARD: \_\_\_\_\_ DATE: \_\_\_\_\_

COMMENTS:



# WYOMING STATE BOARD OF EDUCATION

Wyoming education partners support a student-centered learning system in which all Wyoming students graduate prepared and empowered to create and own their futures.

July 12, 2018 2300 Capitol Ave. 4 <sup>th</sup> Floor Cheyenne		
8:00 a.m. - 8:30 a.m.	<b>State Board of Vocational Education</b> <ul style="list-style-type: none"> <li>• Perkins Update</li> </ul>	Tab A
8:30 a.m. - 9:00 a.m.	<b>State Board of Education</b> <ul style="list-style-type: none"> <li>• Call to Order</li> <li>• Roll Call</li> <li>• Pledge of Allegiance</li> </ul>	
	<ul style="list-style-type: none"> <li>• Approval of Agenda</li> </ul>	Tab B
	<ul style="list-style-type: none"> <li>• Minutes</li> <li>- June 21, 2018</li> </ul>	Tab C
	<ul style="list-style-type: none"> <li>• Treasurer's Report</li> </ul>	Tab D
	State Superintendent's Update	Tab E
8:30 a.m. - 9:30 a.m.	Coordinator's Report	Tab F
9:30 a.m. - 1:00 p.m.	<u>Board Reports and Updates:</u> <ul style="list-style-type: none"> <li>• September Retreat Topics/Location</li> <li>• Advisory Committee on Accountability Report</li> </ul>	
1:00 p.m. - 3:00 p.m.	<u>SBE Committee Updates:</u> <ul style="list-style-type: none"> <li>• Administrative Committee</li> <li>• Communications Committee</li> </ul>	Tab G
	<u>Action Items:</u> <ul style="list-style-type: none"> <li>• Governance Policies</li> <li>• Charter Schools – Arapaho</li> <li>• Chapter 29 Rules</li> <li>• Accreditation Recommendations</li> <li>• Chapter 6, 10, 31 Rules</li> </ul>	Tab H
		Tab I
		Tab J
		Tab K
		Tab L
	Other issues, concerns, discussion, public comment:	
3:00 p.m.	Adjourn	



**ACTION SUMMARY SHEET**

**DATE:** July 12, 2018

**ISSUE:** Approval of Minutes

**BACKGROUND:**

**SUGGESTED MOTION/RECOMMENDATION:**

To approve the minutes from the State Board of Education meeting on June 21, 2018

**SUPPORTING INFORMATION ATTACHED:**

- Minutes of June 21, 2018

**PREPARED BY:** Kylie Taylor

**Kylie Taylor, Executive Assistant**

**ACTION TAKEN BY STATE BOARD:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**COMMENTS:**

WYOMING STATE BOARD OF EDUCATION  
June 21, 2018  
Via Teleconference

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

Members absent: Dan McGlade.

Also present: Kylie Taylor, WDE; Kari Eakins, WDE; Megan Degenfelder, WDE; Laurel Ballard, WDE; Mackenzie Williams, Attorney General's Office (AG); and Adam Leuschel, AG.

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June 21, 2018

CALL TO ORDER

Chairman Wilcox called the State Board of Education to order at 1:02 p.m.

Kylie Taylor conducted roll call and established that a quorum was present.

APPROVAL OF AGENDA

Max Mickelson moved to approve the agenda as presented, seconded by Ryan Fuhrman; the motion carried.

APPROVAL OF MINUTES

Minutes from the May 18, 2018 State Board of Education meeting were presented for approval.

Nate Breen moved to approve the minutes, seconded by Ryan Fuhrman; the motion carried.

**Chapter 29**

Megan Degenfelder, WDE Chief Policy Officer, started the presentation by going through the PowerPoint presentation put together by Foresight Law and Policy. The PowerPoint outlined the statutory requirements by the SBE and Board of Trustees. It also outlined the proposed approach by defining "state-defined" and "locally-defined." Megan explained the Comprehensive Performance Evaluation System and explained the six components that would fall under each.

Nate Breen moved to promulgate emergency Chapter 29 Rules on Leader Evaluation, seconded by Max Mickelson. Kylie Taylor took a roll call vote: 9 ayes, 1 nay; the motion carried.

**Public Comment**

Brian Farmer, Director of The Wyoming School Board Association, expressed gratitude to the board for being thorough and also expressed gratitude to the WDE for carefully working through the issues.

Tracey Kinney, Laramie County School District #1, echoed the gratitude that Brian Farmer expressed and also said she appreciates all of the work that has gone into Chapter 20. Tracey also said she appreciates the guidance for this work in progress and suggests training for Board of Trustees members as they work through this.

Diana Clapp, Superintendent of Fremont County School District #6, also echoed comments of Brian Farmer and Tracey Kinney as well as said she appreciates the service of the SBE and WDE. She said getting these rules accomplished was a great representation of our Democratic process and the willingness and openness through the whole process.

Jean Chrostoski, Superintendent of Goshen County School District #1, said she appreciates the work that was done and said what is in these rules is currently being done but gives school districts more flexibility.

#### NEXT MEETING

The board's next meeting will take place in Cheyenne on July 12, 2018

The State Board of Education adjourned at 2:27 p.m.

DRAFT



**ACTION SUMMARY SHEET**

**DATE: July 12, 2018**

**ISSUE:** Approval of Treasurer's Report

**BACKGROUND:** The State Board of Education budget summary.

**SUGGESTED MOTION/RECOMMENDATION:**

To approve the Treasurer's Reports as submitted.

**SUPPORTING INFORMATION ATTACHED:**

- State Board Budget Summary attached

**PREPARED BY:** Kylie Taylor  
**Kylie Taylor, Executive Assistant**

**ACTION TAKEN BY STATE BOARD:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**COMMENTS:**

**WYOMING DEPARTMENT OF EDUCATION**

**SUMMARY REPORT**

State Board of Education

FY17 Budget

**30 June 2017 thru 28 June 2018**

<i>DESCRIPTION</i>	<i>BUDGETED</i>	<i>EXPENDED</i>	<i>ENCUMBERED</i>	<i>REMAINING BALANCE</i>	<i>Percentage</i>
Personal Services (0100 series)					
[App Unit 001]	60,000.00	55,465.86		4,534.14	7.56%
Supportive Services (0200 series)					
[App Unit 001]	147,275.00	139,244.65	3,548.00	4,482.35	3.04%
Data Processing Charges (0400 series)					
[App Unit 001]	5,737.00	5,035.77		701.23	12.22%
Professional Services (0900 series)					
[App Unit 001]	30,794.00	9,369.00	5,937.50	15,487.50	50.29%
	243,806.00	209,115.28	9,485.50	25,205.22	10.34%
<hr/>					
<i>DESCRIPTION</i>	<i>BUDGETED</i>	<i>EXPENDED</i>	<i>ENCUMBERED</i>	<i>REMAINING BALANCE</i>	<i>Percentage</i>
Professional Services (0900 series)					
[App Unit 009]	145,848.00	21,747.91	43,320.00	80,780.09	55.39%
[App Unit 001]	84,500.00	83,693.86	0.00	806.14	0.95%
<b>TOTAL</b>	<b>230,348.00</b>	<b>41,166.16</b>	<b>3,153.46</b>	<b>186,028.41</b>	<b>79.98%</b>

CREATING  
OPPORTUNITIES  
FOR STUDENTS TO  
KEEP WYOMING  
STRONG

MEMORANDUM

TO: State Board of Education

FROM: Jillian Balow 

DATE: July 5, 2018

SUBJECT: Superintendent's Update



**JILLIAN BALOW**

Superintendent of Public Instruction

**DICKY SHANOR**

Chief of Staff

**MEGAN DEGENFELDER**

Chief Policy Officer

**DIANNE BAILEY**

Chief Operations Officer



**CHEYENNE OFFICE**

132 W. 25th St., Suite F200  
Cheyenne, WY 82002  
307-777-7675

**RIVERTON OFFICE**

320 West Main  
Riverton, WY 82501  
307-857-9250



**ON THE WEB**

edu.wyoming.gov  
twitter.com/WYDEducation  
facebook.com/WYDEducation

As summer is in full swing for Wyoming students, the Wyoming Department of Education works to round out the previous fiscal year and make progress on its many initiatives.

The WY-TOPP summative assessment window ended on May 11, and in June an educator panel convened to determine performance level descriptors for grades 9-10. At the time of this State Board meeting, standard setting and recommendations for cut scores will be developed, and these will be reviewed in early fall by the Advisory Committee and Technical Advisory Group for Alternative Schools. Results from the 2018 WY-TOPP assessment will be available in early September.

The Boot Up Wyoming team has already visited over half of all Wyoming school districts as part of its landscape analysis. Recipients of the Innovative Trust Fund Grant will be announced soon, benefiting several outstanding computer science initiatives across the state. The computer science standards review committee has been selected and will hold its first face-to-face meeting in mid-July.

WDE presented on several topics at the Joint Education Interim Committee's June meeting, and we have also been working with the Government and Efficiency Commission to identify efficiencies in areas such as special education and transportation, in consultation with several stakeholder groups.

This summer, please consider joining us for one of our statewide conferences:

- Week of Academic Vision & Excellence (WAVE), July 30-August 1, Laramie
- Science, Technology, Engineering, Art, and Math (STEAM), July 31-August 8, Gillette
- Native American Education Conference, August 8-9, St. Stephens
- School Safety Summit, August 13-14, Casper



**WYOMING  
STATE BOARD  
OF EDUCATION**

July 3, 2018

To: State Board of Education Members

From: Tom Sachse, Ph.D.

Coordinator, State Board of Education

RE: July Coordinator Reports

At your July meeting, I will be reporting on the following topics: Professional Judgment Panel Planning; JEIC Results and Next Steps; 2018-2019 Reporting Requirements; Collecting Public Input on the Basket of Goods and Services; The Potential for a New State Board Document on Administrative Procedures; Policies of Governance; Blog Post Approvals; and Retreat Topics. There is a memo for each of these items; some have attachments as well.



July 3, 2018

To: State Board of Education Members

From: Tom Sachse, Ph.D.

Coordinator, State Board of Education

RE: Professional Judgment Panel Planning

At the direction of the administrative committee, I worked with department staff to release a call for Professional Judgment Panel (PJP) membership. Despite the lateness of the announcement (due to a lapse in the Coordinator contract extension approval), the department has received many interested applications to participate in the Professional Judgment Panel. This request was complicated by the fact that we still don't have exact dates for conducting the panels. I would guess that we will have to re-announce the opportunity for participation in the Professional Judgment Panel again early in the fall when we know the exact dates.

I would like to board to provide guidance on how to move forward in selecting panelists. For example, is the board interested in giving priority to former panelists? Would the board like me to contact former panelists directly and gauge their interest in serving again? Would the board like me to make recommendations to the Administrative Committee for approval by the entire board? Is it clear that the alternative high school accountability panel is the same size as the 3-11 panel? I look forward to receiving guidance from the board on these and other matters related to PJP planning.

## **NOMINATIONS SOUGHT FOR WYOMING'S K-12 PROFESSIONAL JUDGMENT PANELS**

CHEYENNE - The Wyoming State Board of Education is seeking Professional Judgment Panel (PJP) members. Qualified candidates are Wyoming citizens with an interest in Wyoming's K-12 education system and include educators, parents, business representatives, and community members. The volunteer panel was formed in 2012 to set the cut scores for the Wyoming Accountability in Education Act (WAEA) model. Since then, it has assisted in developing a school performance rating model, determining the rating of schools, setting the levels for performance rating, establishing growth targets, and advising the State Board on issues related to the accountability system.

This year, there will be two panels: one for setting grades 3-11 school accountability targets, and one for setting alternative high school accountability targets. Both panels will meet in October, with dates to be set after statewide assessment scores are reviewed and certified. Panel members can be reimbursed by the State Board of Education for costs associated with attending if a school district or institution will not cover their travel expenses.

The State Board encourages all that qualify to complete the [Expression of Interest Survey](#). The survey will close July 3, 2018.

-END-



July 3, 2018

To: State Board of Education Members

From: Tom Sachse, Ph.D.

Coordinator, State Board of Education

RE: JEIC Results and Next Steps

As you are aware, I made several reports to the Joint Education Interim Committee (JEIC) on June 6 in Lander. I was invited to discuss three topics with members of the committee including accountability, the state's education program, and the promulgation of Chapters 6, 10, and 31.

In the first segment on accountability, the JEIC received the 2017 Advisory Committee on Accountability report presented by Ms. Catchpole. I simply reported that the state board had entered into contract with Mike Beck to facilitate the Professional Judgment Panels (PJPs) and that the state board stood ready to meet its statutory obligation to conduct two PJPs. I was asked by members of the Legislative Service Office to comment on the work done regarding leader accountability and the ongoing work regarding teacher accountability. I informed the legislators that the state board wanted to take another month to review feedback on the proposed Chapter 29 rules and that the board had sent specific questions asking for input to identified stakeholder groups, including local trustees as well as district and school leaders.

I further informed them that the work on teacher accountability was moving along nicely under the direction of Dr. Ballard, but that the legislative requirements for teacher accountability did not allow districts to create alternatives to the state model. Current legislation allows refinements, but not alternatives, to the state model. Following my brief presentation, several members of the audience added comments that the teacher accountability system would benefit from legislative review. At the direction of the JEIC, the Legislative Service Office has been asked to revive House Bill 37 from the 2017 legislative session for reconsideration.

In the second segment on reviewing the state's educational program, I presented the attached memo to the JEIC. The board approved the concepts presented in the memo you reviewed at your June meeting, but the board asked for a number of revisions that

are included in this edition. I will review some preliminary plans for collecting input from a number of constituency groups in another memo later in this report.

In the third segment on promulgation of rules, there were important presentations delivered by Chief Policy Officer Degenfelder and Special Assistant Attorney General Mike O'Donnell. Dr. Magee provided a detailed review of the proposed changes to Chapter 31. My remarks were largely to acknowledge the work of others that contributed to the Chapter 31 revision and to forecast the next round of rules to be promulgated by the State Board of Education.

I believe this third segment will not return at the September or November meetings of the JEIC. But the board should plan on returning to issues related to accountability and the state's education program before the November JEIC meeting. The board will certainly want to have in-depth discussions about some of the policy issues raised in the 2017 Catchpole report. Between now and then, I will bring regular reports to the full board on progress regarding these two issues.

May 18, 2018

To: Joint Education Interim Committee Members

From: Tom Sachse, Ph.D., Coordinator

State Board of Education

RE: Interim Topic on Review of the State's Educational Program

The committee will hear from LSO staff about the historical context for legislation that specifies the basket of goods and services within the mandated educational program and includes the Uniform Student Content and Performance Standards. The committee will also hear from Wyoming Department of Education (WDE) staff about the integration of the Common Core of Skills into the Common Core of Knowledge.

My remarks, representing the views of the Wyoming State Board of Education (SBE), are directed to the issue of process with regard to recent legislative additions to the Uniform Student Content and Performance Standards. Specifically, the state board is asking the legislature to consider the SBE's duties and statutory responsibilities, the continuous increase in rigor and required levels of achievement within core subjects, the considerable pressure from accountability demands to improve basic skills acquisition, and the complexity of adding items to the Uniform Student Content and Performance Standards without sufficient consultation with local districts.

The Statutory Context—There are no fewer than seven citations that give the state board, in collaboration with the WDE and in consultation with local school districts, the authority to set goals and to approve standards for the subject areas in the Common Core of Knowledge.

- WS§ 21-2-304(e) requires the state board to establish statewide goals for Wyoming public education.

- WS § 21-2-304(b)(xiv) requires the state board to establish improvement goals for public schools for assessment of student progress based on the National Assessment of Educational Progress (NAEP) testing program and the Wyoming statewide assessment system that now includes WY-TOPP in grades 3-10, ACT at grade 11, and required primary interim assessments at grades 1 and 2.

● WS §21-9-101 requires school districts to provide an educational program in accordance with uniform standards defined under that section and rules promulgated by the SBE.

● WS § 21-9-102 requires school districts to provide instruction in the essentials of the United States Constitution and the Constitution of the state of Wyoming at least four years during their K-12 instructional program following rules promulgated by the state board. This statute also stipulates that no student shall receive a high school diploma without satisfactorily passing an examination on the principles of the U.S. and Wyoming Constitutions.

● WS §21-2-304(b)(ii) requires the state board, through the evaluation and accreditation of school districts, to enforce the uniform standards for educational programs to ensure that such programs provide students: an opportunity to acquire sufficient knowledge and skills to enter the University of Wyoming and Wyoming community colleges, ample preparation for the job market or postsecondary vocational and technical training, learning that equips a student for his/her role as a citizen and participant in the political system, and the opportunity to compete both intellectually and economically in society.

● WS 21-2-304(c) requires the state board to make recommendations to the legislature not less than once every nine years regarding the uniformity and quality of the educational program standards in the student content and performance standards. This statute also requires the state board, in consultation with the state superintendent, to establish a process to receive input related to the student content and performance standards from stakeholders including, but not limited to, parents, teachers, school and district administrators, and members of the public at large.

● WS § 21-2-304 (a)(iv) requires the SBE, in consultation with local school districts, to establish requirements for students to earn a high school diploma as evidenced by course completion and as measured by each district's assessment system. This statute also requires the state board, through the WDE, to review and approve each district's assessment system every five years to determine alignment with the uniform state standards and attainment of high school graduation requirements, as evidenced by course completion.

Taken together, this array of statutory authority requires the state board to:

- Set broad goals for state education programs
- Set improvement goals for schools based on federal and state testing initiatives
- Set uniform content standards in collaboration with the WDE and local districts
- Review those content standards not less than every nine years,
- Evaluate and accredit Wyoming schools and districts

- Review district assessment systems to the degree those assessments align with the state standards on a five-year rotation

- Establish high school graduation standards to promote uniformity and allow for flexibility

The Governance Context--There have been a number of studies regarding education governance in Wyoming, many suggesting there is overlapping authority between the SBE and WDE. The most recent of these is the 2014 Cross and Joftus Report, which looked at numerous governance models from other states, reviewed the most recent student performance data using NAEP results, compared per student allocations of other states in the region and made a number of recommendations for reconsidering the current governance model.

The report recommended that the SBE “should continue to be charged with establishing the education policies, standards, and accountability metrics.” The Cross and Joftus Report goes on to cite a noteworthy legislative trend that describes the legislature as going “outside their lane” and gives an example of the legislature giving policy authority for state content standards to the state board, through the WDE, and “then debating or overruling them.”

An earlier report on statewide educational governance was the 2005 Management Audit report prepared by the Legislative Service Office (LSO). The Management Audit report states, “Statutes tell the Board to be contemplative and probing. They charge the State Board with establishing policies for public education in the state consistent with the Constitution and statutes, initiating discussions about the needs of and means for improving education, and setting statewide goals for Wyoming public education. ...”

These two most recent Wyoming education governance studies suggest that sometimes the Wyoming legislature, though well-meaning, takes on some of the responsibilities it has specifically delegated to the Wyoming State Board of Education.

The District Context--In 2011, the Wyoming State Legislature with approval from the governor enacted the Wyoming Accountability in Education Act (WAEA). Phase 1 of this initiative established a school accountability system with targets set by the state board through a deliberative process including a Professional Judgment Panel (PJP) with membership comprised according to statute. Schools are now individually rated as exceeding expectations, meeting expectations, partially meeting expectations, or not meeting expectations. These very public appraisals of the state accountability system have sharply focused schools’ attention on improving performance in English, mathematics, and science. During this same timeframe, new state standards development facilitated by the WDE (with broad input from educators and others) and promulgated by the state board, significantly raised the rigor in these three subject areas.

Since then, the state legislature has added Phase Two accountability for district and school leaders and for certified teachers. The state board will likely approve the revised Chapter 29 rules that give the details for leader accountability at its June meeting. The state board is also participating in the teacher accountability system development, which has more direct requirements for including student assessment performance results in determining teacher ratings. Both these initiatives will place additional emphasis on the tested subjects of English, mathematics, and science. Consequently, there is less emphasis on the other subject areas (social studies, physical education, health, fine and performing arts, career technical education) and a degree of apprehension at adding new content standards.

In addition, it is not lost on school personnel that WS § 21-9-101(b)(ii) stipulates “for grades one through eight reading, writing, and mathematics shall be emphasized under the common core of knowledge, ...” So it is not surprising that those observers of state education policy are grappling with the dual message that accountability for basic skills is the primary mission of schools to which they will be held accountable, while at the same time the legislature is adding additional instructional requirements.

Recent Legislative Actions--The past two legislative sessions have seen a marked increase in statutory proposals that would impact the state content standards. Several of these proposals were successful, including the Indian Education for All Act approved by the legislature and governor in 2017 and the additions of computer science and computational thinking, along with the permissive Megan’s Law approved by the Legislature and Governor in 2018.

Additional statutory proposals that would affect the state content standards were unsuccessful. These included proposals for a required fourth year of high school mathematics, an additional graduation requirement mandating instruction in cardiopulmonary resuscitation, and an additional graduation requirement mandating civics testing. A (failed) proposal to change the Success Curriculum requirements for the Hathaway Merit Scholarship would not have changed the state standards, but would influence students’ course taking patterns, which would have an impact on districts’ curriculum offerings.

Members of the State Board of Education and others in the education advocacy world both acknowledged the well-intentioned background of these proposals and raised concerns about the appearance that such proposals went outside the usual process of standards creation by the WDE with deliberation by the state board and input from the public. Some state policy watchers were further concerned, because the recalibration process, which is supposed to begin with a critical analysis of what is in the “basket of goods and services” saw the addition of new instructional requirements going into the basket, without significant involvement from the field.

Recommendations from the State Board--The following recommendations are offered for consideration to the Joint Education Interim Committee. The state board is willing to

collaborate with any and all interested parties to review and examine the quality and quantity of standards currently in the educational “basket of goods and services.” This would be a significant undertaking by the state board, but certainly within their purview given the statutory context described above. The state board also recognizes that it has limited authority and ability, and would like to work collaboratively with the WDE, in alignment with the wishes of the state legislature.

1. The state board has recently reached out to the following educational organizations to ask them to participate in a thoughtful and thorough review of the current (and pending) array of state standards. Leaders from the Wyoming School Boards Association, Wyoming Association of School Administrators, Wyoming Curriculum Directors Association, Wyoming Secondary Principals Association, Wyoming Elementary and Middle School Principals Association, and Wyoming Education Association have each agreed to participate in whatever review process is recommended by the state board with input from the Joint Education Interim Committee (JEIC).
2. The state board is willing to organize a broad constituency group representing education leaders, trustees, faculty members, parents, employers, and others to review the array of state standards and make recommendations about the number and rigor of standards and other mandates on teachers’ instructional time (i.e. suicide prevention, anti-bullying, Megan’s Law, etc.). Such recommendations would be forwarded to the JEIC and follow the WDE process for standards review and revision.
3. The state board recommends continuing the process and time frame for standards review and revision, and acknowledges the excellent work of the WDE in creating standards that are modern, rigorous, and leading to the educational outcomes framed in WS § 21 -2-304(b)(ii). It goes without saying that the state board acknowledges the highly effective role of the State Superintendent and Department of Education in convening standards-setting groups and integrating the Common Core of Skills into the, now 10, subject areas comprising the Common Core of Knowledge.



July 3, 2018

To: State Board of Education Members

From: Tom Sachse, Ph.D.

Coordinator, State Board of Education

RE: 2018-2019 Legislative Reporting Duties

Attached is a list of reporting requirements that the state board is responsible for producing over the course of this fiscal year. The first report will be made by Dr. Mike Beck and will be one of the reports produced as part of the Professional Judgment Panel facilitation contract. The second report requires the state board to receive reports from the Department of Education regarding the nature and utility of supports offered by the department (and possibly other groups) to help alternative schools meet their accountability targets. The third and fourth reports are fiscal in nature and I usually receive assistance from the department for sending these reports to the Legislative Service Office. The fifth report has already been submitted. The sixth and seventh reports also emanate from the facilitation work of the Professional Judgment Panels. The last report is an open (annual) invitation from the legislature for the state board to comment on the Uniform Student Content and Performance Standards as listed in Chapter 10. This last report is referred to in the next memo addressing the “basket of goods and services.”

Agency	Report	Authority	Due
State Board of Education	Alternative Schools Performance Levels	2016 Wyoming Session Laws, Chapter 108, Section 1 (d), as amended by 2017 Wyoming Session Laws, Chapter 95, Section 8 and further amended by 2018 Wyoming Session Laws, Chapter 69, Section 2	November 1, 2018
State Board of Education	Progressive Multi-Tiered System of Support/ Alternative Schools	2016 Wyoming Session Laws, Chapter 108, Section 1 (e), as amended by 2017 Wyoming Session Laws, Chapter 95, Section 8 and further amended by 2018 Wyoming Session Laws, Chapter 69, Section 2	November 1, 2018
State Board of Education	\$6,500 appropriation for Per Diem and Mileage/Alternative Schools PJP	2016 Wyoming Session Laws, Chapter 108, Section 4(a), as amended by 2017 Wyoming Session Laws, Chapter 95, Section 8	December 31, 2018
State Board of Education	\$3,500 appropriation for Per Diem and Mileage/Alternative Schools	2016 Wyoming Session Laws, Chapter 108, Section 4(b), as amended by 2017 Wyoming Session Laws, Chapter 95, Section 8	December 31, 2018
State Board of Education	Report on Leader Accountability Progress	2017 Wyoming Session Laws, Chapter 61, Section 3 and W.S. 21-2-304 (b) (xvi)	July 1, 2017
State Board of Education	PJP Results pursuant to W.S. 21-2-204(f) and (j)	2017 Wyoming Session Laws, Chapter 95, Section 7(c)	September 1, 2018
State Board of Education	Report on the Results of the Accountability System for Each School in the State	W.S. 21-2-204 (j) and (k)	Annually, September 1
State Board of Education	Student Content and Performance Standards	W.S. 21-2-304(c)	Annually, December 1



July 3, 2018

To: State Board of Education Members

From: Tom Sachse, Ph.D.

Coordinator, State Board of Education

RE: Planning for Collecting Input on the State's Educational Program

During the board's June meeting, I recommended presenting to the Joint Education Interim Committee that the state board would be willing to collect and report input on the state's education program. Essentially, this issue has been raised after the 2018 addition of computer science to the Common Core of Knowledge and computational thinking to the Common Core of Skills. Some in the education community are wondering why the legislature chooses to add educational mandates at a time when financial resources are being reduced. Others are wondering what new additions are poised for introduction at the 2019 legislative session.

Of course, gathering large-scale input on such a complex topic is challenging. It is fairly obvious that the legislature would benefit from hearing directly from stakeholders including local trustees, district leaders, school leaders, and teachers. Some of these groups have summer and fall meetings where face-to-face meetings could result in collection of comments from representatives of these important groups. It gets complicated when there are large groups (like Wyoming teachers) that don't gather in large numbers during the timeframe allowed during the interim. It gets more complicated when you think about stakeholders that really don't meet, like parents and employers. And most complicated is articulating the exact set of questions that would yield common, critical input.

Attached is a draft of survey questions that represent some very preliminary thinking how about the types of questions that might be asked efficiently using technology. I will be working in the weeks and months ahead with representatives of the identified groups above to sharpen the questions and data collection methodology. I'm particularly interested in the board's direction about whether and how to collect the information that would be useful to the state legislature.

**Context and Purpose:** The Joint Education Committee of the Wyoming State Legislature has asked the State Board of Education to provide input on the recent legislative addition of computer science to the “basket of goods and services” offered to all students throughout Wyoming. At the center of this discussion, is the question about whether the state legislature should be adding new mandates for public schools at a time when they are receiving less funding. The results of this survey will be presented to the legislature at the end of November. Please take just a few minutes to respond to these four simple questions:

1. Please rank order the 10 required subject areas in order of importance (with one being most important).  
Language arts  
Mathematics  
Science  
Social studies  
Computer science  
Fine and performing arts  
Foreign language  
Career and technical (vocational) education  
Health  
Physical education
2. Are there any subject areas that you think should not be in the “basket of goods and services” Wyoming students receive?
3. Are there any subjects or topics (like financial literacy or CPR) that should be added to the state standards?
4. Given the declining funds going to support public schools, what are the implications for adding new subjects like computer science?



July 3, 2018

To: State Board of Education Members

From: Tom Sachse, Ph.D.

Coordinator, State Board of Education

RE: Administrative Procedures Document

At the June meeting of the Administrative Committee, I proposed for their consideration the prospect of creating another board document that differs from the formal Policies of Governance. I suggested that there were procedural matters that do not rise to the level of policy. For example, it makes sense that there are state board policies addressing matters related to how board members are compensated for their time and reimbursed for their travel. But the particulars of how those policies are administered could be contained in a document on the board's administrative procedures.

The Administrative Committee was fairly positive about this prospect that might include information on the board's: committee structures and purposes, retreat procedures, calendar of events, budgetary procedures, and related matters. It is important for the board to decide to create such a document, which I would be pleased to create. And, it is important for the board to consider whether existing policies may best be rendered as procedures. I look forward to the board's comments on this potential.



July 3, 2018

To: State Board of Education Members

From: Tom Sachse, Ph.D.

Coordinator, State Board of Education

RE: Policies of Governance

As you recall, at the May meeting of the State Board you took action to approve policies one through seven with the understanding that additional groups of policies would be revised and recommended to the administrative committee for consideration before formal policy review by the entire board. At this meeting I would like the board to consider policies eight through 16 for approval. These policies were reviewed by the administrative committee and their recommended revisions are included in edition attached. Depending on the board's consideration of an Administrative Procedures document, it could be that Policy 13 remains policy and that Policy 14 be changed to an administrative procedure.



**WYOMING  
STATE BOARD  
OF EDUCATION**

# **Policies of Governance**



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## **Section 1: Board Legal Status**

Wyoming state statute [§21-2-301](#) establishes the purpose, composition, and desired actions of the state board of education.

**Policy purpose:** It is the purpose of this policy to guarantee the Wyoming State Board of Education is properly constituted and performs the legislative responsibilities within the expectations set by the governor.

### **Policy statement:**

All board members will take The Oath of Office. board members will be sworn in prior to taking office by the chair.

#### Oath of Members of the board:

"I (name) do solemnly swear that I will support, obey and defend the constitution of the United States, and the constitution of the state of Wyoming; that I have not knowingly violated any law related to my election or appointment, or caused it to be done by others; and that I will discharge the duties of my office with fidelity."

Revised: June 24, 2016

Revised: May 18, 2018

## **Section 2: DUTIES OF THE STATE BOARD OF EDUCATION**

The Wyoming State Board of Education is required by statute to fulfill a broad range of requirements enumerated in [§21-2-304](#).

These include adopting Uniform Student Content and Performance Standards in designated subject areas; establishing equitable standards for graduation for all Wyoming high schools; implementing a statewide assessment system based on a coherent system of measures; implementing a statewide accountability system that includes a technically-defensible approach to calculate achievement, growth, readiness, and equity; and promulgating rules and regulations for implementing and administering a comprehensive school district teacher performance evaluation system and leader accountability system. Before promulgating rules, the State board of Education partners with the Wyoming Department of Education to assess and consider K-12 requirements. Once approved by the Governor and legislature, new K-12 requirements are administered by the Wyoming Department of Education.

**Policy purpose:** The purpose of this policy is to ensure the state board is meeting its statutory obligations, including the primary one: to set goals for the Wyoming public school system.

### **Policy statement:**

The board will annually review the established goals at its September meeting. At the meeting following the legislature, the board staff will update the board on any legislative changes that affect the power and duties of the board.

Revised: June 24, 2016

Revised: May 18, 2018

### **Section 3: STATE BOARD OF EDUCATION METHOD OF SELECTION**

The Wyoming State Board of Education was created by the Wyoming State Legislature in 1917 and is composed of 14 members, 11 of whom are appointed by the Governor and can vote, while three are *ex officio* (one of whom can vote). The *ex officio* members include the State Superintendent of Public Instruction (the voting *ex officio* member), a designee of the President of the University of Wyoming, and the Executive Director of the Wyoming Community College Commission.

Among the gubernatorial appointments, there must be one certified classroom teacher at the time of appointment, one certified school administrator at the time of appointment, two representatives of private business or industry, and seven additional appointees representing different regions of the state. Not more than six appointed members may be registered for the same political party. The appointments are typically six-year terms and approved by the state legislature.

These and other requirements for convening the Wyoming State Board of Education are contained in [§21-2-301](#).

**Policy purpose:** The purpose of this policy is to ensure the state board is following the statutory procedures for the selection of new members.

**Policy statement:**

The vice-chair shall report to the board on current status of board members and continue to monitor vacancies and appointments.

Revised: November 18, 2010

Revised: May 18, 2018

## **Section 4: BOARD MEMBER RESIGNATION**

Interim Executive Order 1997-4 effectively adopts the Executive Branch Code of Ethics as the process for board members to follow, in case of a need for resignation from the board.

**Policy purpose:** It is the purpose of this policy to define conditions of the procedure for resignation from the State board of Education by a member.

### **Policy statement:**

Once a board member accepts public office, he/she may resign at will by submitting a letter of resignation with an effective date to the Governor and a copy to the chair.

Until a resignation becomes effective or is acted upon by the governor, it may be withdrawn. Unless otherwise prohibited by law, the board member will continue in office until a successor is qualified.

Revised: November 18, 2010

Revised: May 18, 2018

## **Section 5: BOARD MEMBER REMOVAL FROM OFFICE**

Removal of appointive officers and commissioners; reason for removal to be filed [§9-1-202](#).

Any person who holds a state office or commission by appointment of the members of a state board, commission or administrator may be removed by:

(i) The board, commission or administrator which appointed him where provided by law; or

(ii) The governor, for malfeasance or misconduct in office.

(c) Reason for removal of appointed officers or commissioners shall be mailed or delivered to the person to be removed.

**Policy purpose:** It is the purpose of this policy to delineate the grounds for removal from the state board.

### **Policy statement:**

board members are encouraged to participate in all meetings and activities of the board in order to effectively perform their duties. If a board member misses an excessive number of meetings in a calendar year, the chair shall contact the member to discuss the matter and encourage future participation. If attendance does not improve, the board may take a vote to formally notify the governor of inadequate participation. Ultimately, it is the governor's role to decide whether the individual should continue as a member of the board.

Revised: November 18, 2010

Revised: May 18, 2018

## **Section 6: OFFICERS OF THE BOARD**

Wyoming State Statute [§21-2-301](#) also addresses the appointment, qualifications, terms and removal of members, meetings, and the election of officers.

**Policy purpose:** The purpose of this policy is to identify the officers of the Wyoming State board of Education.

**Policy statement:**

Officers of the State Board of Education shall consist of chair, vice-chair, and the treasurer.

Revised: November 18, 2010

Revised: May 18, 2018

## **Section 7: METHOD OF ELECTION OF OFFICERS**

**Policy purpose:** It is the purpose of this policy to clarify the timeframe and procedures for electing new state board officers.

### **Policy statement:**

Within the first three regular meetings of the year, the board shall elect from its membership a chair, vice-chair and treasurer. To facilitate this election, the following process shall be followed:

1. Prior to the first meeting of the calendar year, the current board chair shall appoint a three-member ad hoc nominating committee for the purpose of bringing forward nominations for chair, vice-chair and treasurer prior to the first meeting of the calendar year.
2. The board chair shall designate one of the three appointed members as chair of the nominating committee.
3. The nominating committee shall solicit comments from other board members regarding the characteristics needed by the next chair, vice-chair and treasurer and on possible nominations for the three offices. Nomination Committee will thoroughly interview any member who shows interest in any of the three offices.
4. Within the first three meetings of the calendar year, the chair of the nominating committee shall report the recommendations of the committee as to the nominations for the board's chair, vice-chair and treasurer.
5. After the nominating committee's report is received, the board chair shall open the floor for additional nominations, if there are any.
6. A motion, second and a majority of the membership voting "aye" shall occur for a member to be elected chair, vice-chair and treasurer.
7. In the event that a vacancy occurs prior to the end of the term of the board chair, the vice-chair will become chair and complete the rest of the previous chair's term.
8. If there is a vacancy of treasurer or vice-chair, the board chair will appoint a member to serve.
9. To be eligible for election for chair, vice-chair and treasurer, a member shall have served at least six months on the board.
10. The chair, vice-chair and treasurer shall be elected annually and can only serve three consecutive one-year terms. After serving three consecutive one-year terms as chair, vice-chair and treasurer, a member shall go out of office for one year before being eligible to serve in that same position again.
11. The current board chair will swear in and administer the Oath of Officers of the board to the newly elected board members immediately following the election but only if the elected member has not held an office before.

The officer's oath will be as set forth below:

**Oath of Officers of the board**

**OATH:** *I, (name) do solemnly swear that I will uphold the duties and the laws of the State of Wyoming based on statutes governing operations of the Wyoming State board of Education.*

Revised: August 18, 2016

Revised: May 18, 2018

## **Section 8: DUTIES OF THE BOARD CHAIR**

Wyoming statute [§21-2-301\(b\)](#) establishes the process for electing the board chair and lists duties, including the right to call meetings of the board. The same opportunity to call meetings of the state board are also given to the governor and the state superintendent.

**Policy purpose:** The purpose of this policy is to stipulate the duties of the chair.

### **Policy statement:**

The chair shall preside at all meetings of the board and shall be the board's official representative at all times unless otherwise provided by the board.

The chair may appoint members to represent the board at legislative and legal hearings, conferences, and other meetings deemed appropriate by the board.

Special meetings may be called by the chair. The chair may appoint special or ad hoc committees as needed. The chair of a special or ad hoc committee shall be designated by the board chair.

The chair shall, comply with [Section 19](#) of Wyoming State Board of Education policy manual on the development of agendas. The chair shall sign all contracts that the board is authorized to execute.

Last revised: August 18, 2016

## **Section 9: DUTIES OF THE BOARD VICE CHAIR**

**Policy purpose:** It is the purpose of this policy to stipulate the duties of the vice-chair of the state board.

### **Policy statement:**

In the event the chair is absent or otherwise unable to perform the duties of that office, the vice chair shall carry out the duties prescribed thereto.

The vice chair shall report to the board on current status of board members and continue to monitor vacancies and appointments.

Last revised: November 18, 2010

## **Section 10: DUTIES OF THE BOARD TREASURER**

**Policy purpose:** It is the purpose of this policy to enumerate the duties of the board treasurer.

### **Policy statement:**

The board treasurer will review board expenditures and report to the board at each meeting. The treasurer will be responsible for monitoring the budget and bring concerns to the board as necessary. The treasurer's report will be approved at each meeting.

The board treasurer will work in the *ad hoc* budget team consisting of the board chair, vice-chair, and board staff to create a draft budget request. The treasurer will work with the WDE budget team to place the budget request in the overall WDE budget request. The treasurer will represent the board's budget request before the Joint Appropriations Committee (or ask the chair, vice-chair, or board staff to attend).

Last revised: November 18, 2010

## **Section 11: DUTIES OF BOARD MEMBERS**

Several Wyoming statutes inform the duties of state board members including [§21-2-302](#), which defines a quorum, and majority vote (that requires eight affirmative votes to pass a motion); [§16-4-403](#) that defines meetings to be open, with participation by the public, and approved minutes; [§21-2-304](#) that lists duties of the State Board of Education; and, [§21-2-306](#) that specifies requirements for reports of the state superintendent and state board.

**Policy purpose:** The purpose of this policy is to enumerate the duties of state board members.

### **Policy statement:**

Duties of members of the State Board of Education shall include, but not be limited to, the following:

1. Regularly attend meetings of the board, enter into discussions, and participate in decision-making on items coming before the board.
2. Study and be familiar with materials related to the agenda items sent to board members prior to each meeting. Board members who need specific information from the Wyoming State Department of Education staff can contact the board staff or the department liaison.
3. Serve on committees when requested to do so by the chair.
4. Refer problems brought to the attention of the individual board member to the chair, and if necessary, engage the board for review, action, or submission to the board.
5. Recognize that each individual board member has no authority to act for the entire board except at the request of the board.

Last revised: September 23, 2016

## **Section 12: NEW BOARD MEMBER ORIENTATION**

**Policy purpose:** It is the purpose of this policy to standardize the orientation of new state board members.

**Policy statement:**

The chair, with the assistance of the board staff, department liaison, board attorney and at least one sitting board member shall provide an orientation for new board members before or as soon as possible after their first board meeting.

Last revised: September 23, 2016

## **Section 13: BOARD MEMBER COMPENSATION AND EXPENSES**

All appointed members of the state board shall receive compensation, per diem, and mileage for actual time spent in performance of their duties and traveling expenses while in attendance, and going to and from board meetings in the same manner and amount as members of the Wyoming legislature [§21-2-303](#).

**Policy purpose:** It is the intent of the state board that they receive compensation and travel reimbursements, consistent with payment procedures of the Wyoming State Legislature.

### **Policy statement:**

Board members will be reimbursed as defined in the [Wyoming State Board of Education Travel Regulations](#). While board members are compensated for in-person and for virtual meetings (lasting over three hours), they are not compensated for committee meetings or those lasting less than three hours. Board members may be compensated when representing the state board at meetings at the request of the board chair.

Last revised: May 08, 2013

## **Section 14: BUDGET POLICIES FOR TRAVEL CLAIMS**

When planning on attending a conference or meeting other than a regularly scheduled board meeting or hearing, board members must contact the education program specialist for the state board and explain the proposed travel arrangements. The education program specialist will then figure the appropriate cost of the conference or meeting and contact the board chair or designee for approval. The education program specialist will then notify the board member of the approval.

**Policy purpose:** It is the purpose of this policy to ensure proper procedures are followed in the expenditure of state board funds.

### **Policy statement:**

The board will follow the procedures listed below in committing the use of public funds:

#### **Travel Reimbursement**

All overnight travel, other than regular board meetings or hearings must be pre-approved by the board chair or designee. All convention expenses must receive prior approval of the board chair or designee.

#### **Mileage**

State Board of Education members are reimbursed in accordance with the state approved mileage rate.

#### **Lodging**

Out-of-state lodging shall be reimbursed for actual expenses incurred upon presentation of a paid receipt. The government rate should be obtained at all hotels, when available.

#### **Per Diem**

*Per diem* will be paid at the state approved rate.

Last revised: October 14, 2016

## **Section 15: BOARD-STATE SUPERINTENDENT RELATIONS**

**Policy purpose:** It is the purpose of this policy to specify the need for collaboration and consistent open dialogue between the Wyoming State Board of Education and the Wyoming Department of Education.

### **Policy statement:**

The board and state superintendent shall cooperate fully to ensure the state system of public education may constantly be improved. Open dialogue and ongoing two-way communication is essential for the board and department to meet their separate and joined duties.

The board chair will contact the state superintendent on matters that affect and/or involve the Wyoming Department of Education. Similarly, the board chair will be contacted by the state superintendent or designee on any correspondence, representation, and or meetings that involve the Wyoming State Board of Education.

Last revised: November 18, 2010

## **Section 16: ATTORNEY**

Wyoming State Statute [§9-1-608 \(b\)](#) stipulates that the state attorney general represents the State board and the State board cannot retain other counsel without the attorney general's prior approval.

**Policy purpose:** It is the purpose of this policy to ensure that the state board adheres to statute regarding hiring legal representation, while providing access to legal advice as provided for by the attorney general.

### **Policy statement:**

Any board member may directly contact the board's attorney in the Attorney General's Office for assistance.

Last revised: November 18, 2010

## **Section 17: BOARD MEETINGS**

The following excerpts from [§16-4-403](#) stipulate the terms under which public meetings are held with every attempt to conduct them in open and transparent means to facilitate the opportunity of the public to know about and participate in meetings of the state board.

(a) All meetings of the governing body of an agency are public meetings, open to the public at all times, except as otherwise provided. No action of a governing body of an agency shall be taken except during a public meeting following notice of the meeting in accordance with this act. Action taken at a meeting not in conformity with this act is null and void and not merely voidable.

(b) A member of the public is not required as a condition of attendance at any meeting to register his name, to supply information, to complete a questionnaire, or fulfill any other condition precedent to his attendance. A person seeking recognition at the meeting may be required to give his name and affiliation.

(c) Minutes of a meeting:

(i) Are required to be recorded but not published from meetings when no action is taken by the governing body;

(ii) Are not required to be recorded or published for day-to-day administrative activities of an agency.

(d) No meeting shall be conducted by electronic means or any other form of communication that does not permit the public to hear, read or otherwise discern meeting discussion contemporaneously. Communications outside a meeting, including, but not limited to, sequential communications among members of an agency, shall not be used to circumvent the purpose of this act.

**Policy purpose:** The purpose of this policy is to recognize and respect the opportunity for Wyoming citizens to gain access to meetings of the state board whether in person or via electronic means. It details the annual meetings of the state board, to make the public aware of the major events undertaken annually by the board.

**Policy statement:**

### **Types of State board Meetings**

Meetings of the board may include regular meetings, special meetings, emergency meetings, committee meetings, and public hearings.

## **Annual Organizational Meeting**

Any of the first three meetings of the calendar year shall be designated an annual meeting for the purpose of election of board officers.

## **Regular Board Meetings**

Regular meetings of the board shall be held in any month, so long as the board meets at least four times every year. The board will ask the Administration Committee to determine whether meetings will be in person or held virtually and recommend the location of such in person meetings.

Regular board meetings will be held in conjunction with the State Board of Vocational Education. When appropriate, the State Board of Education will adjourn and immediately reconvene as the State Board of Vocational Education or *vice versa*.

## **Special Board Meetings**

Special meetings of the board may be called by the chair, state superintendent, governor, or a majority of board members.

There are certain items that are discussed at the same time every year.

## **State Board of Education Meetings**

### **January/February**

- Legislature
- Review BOCES/BOCHES Agreements
- Election of Officers and review of duties
- Invitation to the Governor to attend

### **April**

- Charter Schools Update
- Set annual meeting schedule
- Review of strategic plan

### **June**

- Accreditation
- Alternative School Schedules
- Budget
- Select committee to review policy manual

### **September Retreat (Chair's choice of location)**

- Board training and self-evaluation (NASBE is recommended)
- Review and update Wyoming Education Goals and Strategic Plan
- Review recommendations from policy manual committee
- Review of legislative issues

### **November**

- Review the recommendations of the self-evaluation
- Nominating Committee appointed if needed
- Adopt any policies of governance changes

### **Other topics**

- School Restructuring Updates
- Wyoming Content and Performance Standards, District Assessment System and Statewide Assessment Issues
- Court Ordered Placement-Residential Treatment Center Approval
- District and School Accountability
- Boundary Changes

Last revised: October 14, 2016

## **Section 18: BOARD PUBLIC HEARINGS (Recommendation to Delete, as it duplicates #17)**

Wyoming State Statute [§16-4-403](#) requires meetings of the Wyoming State Board of Education to be open to the public, with the requirement that minutes of such meetings will become official once the minutes are approved at a subsequent meeting of the board. It also requires that no meeting shall be conducted by electronic means or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously.

**Policy purpose:** It is the purpose of this policy to comply with the open meetings laws, especially when holding meetings virtually.

**Policy statement:** Every effort shall be made to hold virtual meetings in a way that facilitates public access to both the oral comments and to the visual images of board packet information, including documents, statutory citations, etc.

Last revised: October 14, 2016

## **Section 19: BOARD MEETING AGENDAS**

**Policy purpose:** It is the purpose of this policy to define the process for the development and approval of the state board meeting agenda.

### **Policy statement:**

The chair shall call for agenda items at least two weeks prior to a scheduled meeting. Any member of the board, as well as the WDE board liaison and board staff may submit agenda items that are linked to board work, legislative or statutory mandates, or strategic priorities. The education program specialist will distribute draft copies of the agenda to all SBE members and solicit suggestions for revisions. The chair, vice-chair, and chair of the Administrative Committee will finalize the agenda by determining the items and the order in which the items will be placed on the agenda. The State Director of Vocational Education will provide items for the State Board of Vocational Education meeting agenda. The education program specialist will determine a deadline for submission of supporting items for the board meeting packet. Supporting information shall be provided by the deadline or the item may be removed from the agenda. The board understands that emergencies arise and some items may occasionally need to be added. A complete board packet will be distributed to board members one week prior to the meeting. board members who have questions or want additional information should submit those requests to the education program specialist prior to the meeting so she can communicate with the presenter.

The board will approve the agenda at the beginning of each meeting. Members may request clarification or explanation on any item. The chair will entertain one motion and a second to approve all items on the agenda as a whole. Any item may be removed from the work or business session by consensus of the board. The agenda for the working session of the meeting will contain items of a routine nature and to the extent possible include items such as:

- Written reports from the WDE on compliance issues, rule and regulations efforts, progress on statewide testing development, work on content standards, and WDE initiatives
- Written reports from the board staff
- Board Committee reports
- Monitoring of board strategic goals
- Visits to schools
- Professional learning and growth for board members

The agenda for the business session of the meeting will contain items that will need discussion and action. Previous board meeting minutes and the treasurer's report shall be presented and approved. Discussion items that may require action to be taken at a subsequent meeting will be presented during the business meeting. Every effort should be made to have items appear as a discussion issues prior to taking action at a later meeting. Public comments will be addressed during the business session.

The agenda for the State Board of Vocational Education will contain items relevant to career technical education.

The meeting agenda may be amended at the beginning of each meeting by motion and subsequent majority vote.

Last revised: September 23, 2016

## **Section 20: BOARD MEETING MINUTES**

Wyoming State Statute [§16-4-403](#) delineates the requirements for minutes of state board meetings.

**Policy purpose:** It is the purpose of this policy to define the process for developing and approving minutes, along with limitations on recordings of public speakers.

### **Policy statement:**

The education program specialist shall have recorded the minutes of the proceedings of the board. The official minutes of the State board of Education shall be kept in the State board of Education's office located at the Wyoming Department of Education and shall be open to inspection by the public.

A copy of the minutes of a meeting of the board shall be e-mailed to each board member and the minutes shall be approved at the succeeding meeting. The minutes shall not be considered official unless and until approved by the board.

### **Recording Public Speakers Comments during Public Comment Period**

The minutes will reflect only the speaker's name, organization and topic of discussion. A copy of any preprinted public speaker's comments handed out at the meeting shall be attached to the minutes.

Last revised: November 18, 2010

## **Section 21: PUBLIC PARTICIPATION AT STATE board MEETINGS**

**Policy purpose:** It is the purpose of this policy to ensure the public has every right to address the state board on issues related to its goals to help improve the quality of public schooling in Wyoming.

### **Policy statement:**

The State board of Education recognizes its obligation to help citizens of the State understand the operation of the public schools. The board is also aware of the need for communication with citizens to permit the public to voice opinions and also to permit the board to explain general policies governing the operation of the schools in the State. Therefore, in an effort to provide a procedure by which matters of statewide interest concerning the schools may be brought before the board while at the same time permitting the board to conduct its meetings in an orderly and efficient manner, the State Board of Education offers the following policy with regard to citizen participation in the meetings of the board:

Citizen participation will take place only during that part of the regular meeting designated on the agenda as the “Public Comment Period.” Procedures for the “Public Comment Period” are as follows:

- 1) No commercial solicitations will be allowed. If any speaker makes such an attempt, he/she will immediately be asked to refrain from making any further remarks of a commercial nature.
- 2) The chair shall limit each individual’s comments to five (5) minutes, and the entire period to thirty (30) minutes.
- 3) There will be no response by board members to remarks made during the Public Comment Period. board members may ask clarifying questions after remarks are complete. board action, if any is warranted, shall be taken only at a subsequent meeting.
- 4) These procedures may be temporarily waived by a vote of two-thirds (2/3) of the board members present at any meeting where such a waiver is justified by extenuating circumstances.
- 5) The chair has the authority to cut off a presenter if he/she becomes out of order. Complaints filed with the board should relate only to matters over which the board has direct jurisdiction. It is not within the authority of the board to exercise those functions which the Legislature has specifically conferred on county and local boards of trustees. Areas of local involvement, such as failure of a teacher to be re-employed by a local

board of trustees, assignment of pupils, discipline of students, and similar matters related to local operations, should be pursued at the district level.

Statement of chair: The following statement will be read before any citizen speaks to the board during the Public Comment Period: “We appreciate your interest in public education. You will be allotted five (5) minutes for your comments. Since we are hearing your comments for the first time, it is our policy to accept your comments as information. If we have questions or need additional information, we will contact you at a later date. Thank you for understanding our procedures.”

Last revised: November 18, 2010

## **Section 22: EXECUTIVE SESSIONS**

Statutory provisions for public meetings to go into executive session are enumerated in [§16-4-405](#).

**Policy purpose:** The purpose of this policy is to ensure the proper compliance of the Wyoming State board of Education with the law (and the spirit) of executive session statute.

### **Policy statement:**

The board, by majority vote of the membership present, may go into executive session for the reasons specified by law. (See Statute as printed above.) An executive session is commonly attended by members of the board, board Attorney, Executive Assistant, and staff identified by the chair as necessary to contribute to items under consideration; and, if applicable, parties being heard on appropriate executive sessions matters.

Before going into executive session, the chair shall put the question of whether to meet in executive session to vote. If such vote is favorable, the chair will then announce the *specific* purpose of the executive session, identify the reason for going into an executive session.

No vote will be taken in executive session. A vote may be taken on any action discussed in executive session only after the board returns to open session. No notes will be taken in executive session except for the Recording Secretary, and everything is confidential.

Minutes will be taken in executive session; however, the minutes shall be confidential and produced only in response to a valid court order.

Last revised: September 23, 2016

## **Section 23: VOTING METHOD**

**Policy purpose:** It is the purpose of this policy, to clarify the voting procedures of the state board.

### **Policy statement:**

Votes of the board shall be by voice vote. The chair may call for a show of hands in cases where it cannot be determined whether a motion has carried. Any member of the board may request a verification of the voice vote by requesting a roll call vote. Votes may be cast by board members in person only.

An affirmative vote for a motion requires a majority of the entire board (even though two *ex officio* members are not voting members).

Last revised: November 18, 2016

## **Section 24: ETHICS**

The Executive Branch Code of Ethics is fully presented in **Interim Executive Order 1997-4**.

**Policy purpose:** It is the purpose of this policy to ensure that members of the Wyoming State board of Education conduct themselves following the prescription for ethical behavior, recognizing that they serve at the pleasure of and as representatives of the governor of the state of Wyoming.

### **Policy statement:**

Each board member is responsible for both integrity and the consequences of his/her own actions. Each and every board member must follow the highest standards of honesty, integrity, and fairness when engaging in any activity particularly with the public, and other board members.

No member of the board is entitled, nor should s/he expect to receive any preferential treatment in service or status beyond that of any taxpayer in Wyoming.

board members may not knowingly take advantage or benefit from information obtained from their official duties and responsibilities as a member of the board.

The chair of the board is responsible for immediate interpretation, application and enforcement of policies related to board membership. All complaints concerning a possible ethical violation shall be made to the chair who shall make an initial determination of the issue. If further action is warranted, the chair will pursue an appropriate course of action.

Last revised: November 18, 2016

## **Section 25: ANNUAL OPERATING BUDGET OF THE BOARD**

**Policy purpose:** It is the purpose of this policy to establish collaborative procedures for ensuring the state board requests (and receives) the budget needed to fulfill the statutory duties of the board.

### **Policy statement:**

The fiscal year for the State board of Education begins each year on the first day of July and ends on the thirtieth day of June.

The superintendent or department Liaison, will share with the board staff, treasurer, chairman and education program specialist all applicable worksheets and budget information to plan the biennial board budget. With assistance from the Department the board will develop a draft biennial budget. The board will review the budget and recommend revisions, if necessary before final approval and submission of the budget.

The board staff will be present in the meeting in which the proposed budget is presented to the Joint Appropriations Committee.

Last revised: January 13, 2017

## **Section 26: MONITORING CONTRACTS**

**Policy purpose:** It is the purpose of this policy to ensure the state board is meeting its obligation to properly execute and monitor contracts.

### **Policy statement:**

The board may contract with outside individuals or corporations for services. The administrative committee shall monitor those contracts on an ongoing basis for efficacy and efficiency.

Last revised: March 24, 2017

## **Section 27: ROBERT'S RULES OF ORDER - SUMMARY VERSION**

### **For Fair and Orderly Meetings & Conventions**

Provides common rules and procedures for deliberation and debate in order to place the whole membership on the same footing and speaking the same language. The conduct of all business is controlled by the general will of the whole membership - the right of the deliberate majority to decide. Complementary is the right of at least a strong minority to require the majority to be deliberate - to act according to its considered judgment after a full and fair "working through" of the issues involved. Robert's Rules provides for constructive and democratic meetings, to help, not hinder, the business of the assembly. Under no circumstances should "undue strictness" be allowed to intimidate members or limit full participation.

The fundamental right of deliberative assemblies require all questions to be thoroughly discussed before taking action.

The assembly rules - they have the final say on everything.  
Silence means consent.

- Obtain the floor (the right to speak) by being the first to stand when the person speaking has finished; state Mr./Madam chairman. Raising your hand means nothing, and standing while another has the floor is out of order. Must be recognized by the chair before speaking.
- Debate can not begin until the chair has stated the motion or resolution and asked "are you ready for the question?" If no one rises, the chair calls for the vote.
- Before the motion is stated by the chair (the question) members may suggest modification of the motion; the mover can modify as he pleases, or even withdraw the motion without consent of the seconder; if mover modifies, the seconder can withdraw the second.
- The "immediately pending question" is the last question stated by the chair! Motion/Resolution - Amendment - Motion to Postpone
- The member moving the "immediately pending question" is entitled to preference to the floor.
- No member can speak twice to the same issue until everyone else wishing to speak has spoken to it once.
- All remarks must be directed to the chair. Remarks must be courteous in language and deportment - avoid all personalities, never refer to others by name or allude to motives.
- The agenda and all committee reports are merely recommendations. When presented to the assembly and the question is stated, debate begins and changes occur.

## The Rules

- **Point of Privilege:** Pertains to noise, personal comfort, etc. - may interrupt only if necessary.
- **Parliamentary Inquiry:** Inquire as to the correct motion - to accomplish a desired result, or raise a point of order.
- **Point of Information:** Generally applies to information desired from the speaker: "I should like to ask the (speaker) a question."
- **Orders of the Day (Agenda):** A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules).
- **Point of Order:** Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made
- **Main Motion:** Brings new business (the next item on the agenda) before the assembly.
- **Divide the Question:** Divides a motion into two or more separate motions (must be able to stand on their own).
- **Consider by Paragraph:** Adoption of paper is held until all paragraphs are debated and amended and entire paper is satisfactory; after all paragraphs are considered, the entire paper is then open to amendment, and paragraphs may be further amended. Any Preamble can not be considered until debate on the body of the paper has ceased.
- **Amend:** Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions.
- **Withdraw/Modify Motion:** Applies only after question is stated; mover can accept an amendment without obtaining the floor.
- **Commit /Refer/Recommit to Committee:** State the committee to receive the question or resolution; if no committee exists include size of committee desired and method of selecting the members (election or appointment).
- **Extend Debate:** Applies only to the immediately pending question; extends until a certain time or for a certain period of time.
- **Limit Debate:** Closing debate at a certain time, or limiting to a certain period of time.
- **Postpone to a Certain Time:** State the time the motion or agenda item will be resumed.
- **Object to Consideration:** Objection must be stated before discussion or another motion is stated.
- **Lay on the Table:** Temporarily suspends further consideration/action on pending question; may be made after motion to close debate has carried or is pending.
- **Take from the Table:** Resumes consideration of item previously "laid on the table" - state the motion to take from the table.
- **Reconsider:** Can be made only by one on the prevailing side who has changed position or view.

- **Postpone Indefinitely:** Kills the question/resolution for this session - exception: the motion to reconsider can be made this session.
- **Previous Question:** Closes debate if successful - may be moved to "Close Debate" if preferred.
- **Informal Consideration:** Move that the assembly go into "**Committee of the Whole**" - informal debate as if in committee; this committee may limit number or length of speeches or close debate by other means by a 2/3 vote. All votes, however, are formal.
- **Appeal Decision of the chair:** Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business.
- **Suspend the Rules:** Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified.

Last revised: March 25, 2016

## **Section 28: PUBLIC COMMENT DURING RULEMAKING**

**Policy purpose:** It is the purpose of this policy to clarify receiving comments from the public during rulemaking considerations.

### **Policy statement:**

The board shall receive comments from the public made in response to its rulemaking. The board shall receive these comments at a public meeting or by receiving written comments. The board shall respond to the comments it receives by aggregating the comments it received and making them and its responses available to the public when a rule is adopted. The board shall respond to a commenter directly if the commenter requests.

Rulemaking decisions made by the board shall not be based on private comments or conversations to which the public and other participating parties have no access, and no board member shall willingly engage in private conversations about the rulemaking during the promulgation process. These communications are referred to as ex-parte communications. Those who engage with the board must have confidence that they will be dealt with fairly and that they have the right to participate in board proceedings. Ex-parte communications during rulemaking affect the integrity of the board's decision-making process in raising questions of fairness, accuracy in fact-finding, unequal access to decision makers, and improper influence. A board member, if approached individually about a rule currently in the promulgation process, may refuse to discuss the matter or receive the communication. If the board member receives the ex-parte communication, the board member shall, if the communication is in writing, submit the communication to the persons managing comments to be addressed with all other comments received. If the communication is not in writing, the board member shall reduce the communication to a written summary and submit that as if it were a written communication. If the communication occurs after the time for public comment has ended, and if necessary or desirable to assure an effective opportunity for public participation, the board shall provide an opportunity for the public to review the record and comment before the board makes a final decision.

The board may entertain or receive public comments on subjects unrelated to pending rules at any time. The comments may be submitted in writing to the board or the board may hear from members of the public at any time. The board usually, though does not

always, reserves a time in public meetings to receive comments and feedback from those present.

Last revised: March 24, 2017

## **(Proposed) Section 29: BOARD COMMUNICATIONS**

Issues related to communications are intrinsically interwoven into the ethics statutes and executive orders. The Ethics Act is at [W.S. 9-13-101 through -109](#), and the two executive orders are Executive Order [1997-4](#) and [1981-12](#). Linked are the AG's office lobbying memos as well - the lobbying statutes are at [W.S. 28-7-101 through -201](#).

**Policy purpose:** The purpose of this policy is to identify the various channels of communication within the SBE, their intended purposes, and the roles and responsibilities of board members in accessing and using them. It also attempts to inform board members about the channels and best practices for interacting with the educational community and broader public throughout Wyoming.

### **Policy statement:**

The SBE has the objective of enhancing and streamlining internal communications to reinforce the board's vision and strategic priorities. This involves ensuring that information is equitably disseminated to board members and is relevant, easy to access, accurate, and appropriate in both content and quality.

Each member of the SBE has a digital device allowing them to access and collaborate about key documents and information, primarily in email and on the shared Google Docs platform. SBE will continue to develop and expand new communication platforms, channels, and tools to improve information sharing and collaboration among SBE members.

This policy is to be implemented in a way that ensures compliance with relevant legislative requirements and standards of best practice.

board members are encouraged to share information with their peers and the broader education community about activities and events that have an association with SBE.

In some cases, the board chair or delegate will speak, write, and communicate virtually for the board on issues that have come before the board. Every effort will be made to make such communications known to the entire board as time allows.

It is the individual responsibility of each board member to follow the "chain of command" in referring communication issues to the responsible party. Every effort will be made to date and time-stamp communications emanating from the board.

Last revised:



July 3, 2018

To: State Board of Education Members

From: Tom Sachse, Ph.D.

Coordinator, State Board of Education

RE: Blog-post Approvals

Before completing her work on the board's communications contract, Kelly Pascal wrote or edited a number of blog posts for placement on the state board's segment of the department's website. There are four blog posts on how standards become state law and several other blog posts on recent issues before the state board, including two related to Chapter 31 and two others related to Chapter 10. I wanted to let the board know that these were in process and that the review and approval process starts with the Communications Committee, moves to the Administrative Committee, and ultimately comes before the full board for approval prior to publication. I hope to have most of these blog posts ready for your consideration at your next meeting.



July 3, 2018

To: State Board of Education Members

From: Tom Sachse, Ph.D.

Coordinator, State Board of Education

RE: Retreat Topics

The September meeting of the State Board of Education is typically when the board conducts a two-day meeting one of which is more in-depth on priority topics for the board. The location of the September retreat is selected by the board chair, but the topic(s) for the retreat are considered by the entire board. Since there is quite a bit of preparation involved in creating the retreat format and because it is likely that guest speakers may need to be invited, it is important for the board to decide on the priority for this year's retreat.

The administrative committee considered six retreat topics and appear to have reached consensus on looking at other state boards' of education consideration of computer science as a new subject for public schools. I would like the full board to consider this recommendation (or alternatives) for the September retreat.

Administrative Committee Summary  
June 5, 2018

Present: Sue Belish, Robin Schamber, Kylie Taylor, Tom Sachse, Megan Degenfelder, Julie Magee, Laurel Ballard, Shelley Hamel

1. Review agenda for June 21<sup>st</sup> meeting
  - a. Laurel Ballard, Shelley Hamel, and the CPES Advisory Panel have met once since our May meeting and they are scheduled to meet again to complete their revisions. Due to the complexity of the topic, the additional work that continues to be done by the advisory group, and significant changes to the proposed rules, there was a question about whether the June meeting warranted an in-person, rather than electronic, format. After looking at the agenda items for both June and July, it was agreed to keep the June meeting (June 21<sup>st</sup>) an electronic meeting and to make the July meeting (July 12<sup>th</sup>) an in-person meeting in Cheyenne. Chapter 29 will be the only item on the June agenda.
  - b. Since we chose to use an electronic format for the meeting, we discussed that the Chapter 29 presentation should include the 30,000 ft. overview of the rules, mention of how recommendations from stakeholders informed the changes, and what these rules will require of districts.
2. Consider topics for the July 12<sup>th</sup> meeting
  - a. At this time the following are items that have been suggested for our July meeting:
    - i. Accreditation recommendations
    - ii. Governance policies 8-16
    - iii. September retreat topics and location
    - iv. Locations for future meetings
    - v. Charter Schools
    - vi. Communications contract proposal
    - vii. Chapter 6, 10, 31 responses to public input, decision on approval of rules
    - viii. Advisory Committee on Accountability report
    - ix. JEIC report
  - b. The committee is proposing that the July meeting be held in Cheyenne (potentially 8:00-3:00).
3. Coordinator Update
  - a. Tom indicated that he finally received the extended contract for the additional coordinator hours to be used until June 30.
  - b. Tom has not received the final contract for 2018-19. Megan will check with Trent to determine where things are on the contract.
4. Set next Administrative Committee Meeting
  - a. There is a short turn-around between our June and July Meetings. The committee will meet on Monday, June 25<sup>th</sup> from 11:30-1:30. Kylie will send a message to all AC members informing them of this date and checking to ensure that the time will work for folks.
5. Additional topics
  - a. Kylie volunteered to get a plaque and a thank-you gift to present to Jim Rose in honor of his retirement and his service to the Board.

Administrative Committee Summary  
June 25, 2018

Attendance: Tom Sachse, Walt Wilcox, Kenny Rathbun, Max Mickelson, Robin Schamber, Sue Belish, Kylie Taylor, Mackenzie Williams, Adam Leuschel, Megan Degenfelder, Julie Magee

1. Review July board meeting agenda – the committee reviewed the topics for the meeting. Several topics were removed and scheduled for future dates. It was suggested that there be an overview of the SBE’s responsibilities related to charter schools, which will be a topic for the July meeting. Tom provided a list of topics to be included in his coordinator report.
2. Review governance policies – Tom reviewed the next set of governance policies to be recommended. Committee members provided feedback and suggestions. Tom also suggested that several of our governance policies might be better crafted as procedures or regulations that accompany policies, not as separate policies. The committee agreed and asked Tom to consider this approach as the policies are being revised. Mackenzie and Adam are assisting by providing feedback on policy revisions.
3. August Meeting – as we look ahead to a potential August meeting it appears that there may not be a need to hold a meeting that month. When the SBE originally approved meeting dates we approved them so that board members could reserve those dates on their calendars. The recommendation contemplated that there might be instances when a scheduled meeting would not be needed and would then be cancelled. September may be one of those instances. If something crops up, we anticipate being able to hold a meeting via teleconference to deal with any issues.
4. September Meeting – The September meeting has traditionally included a retreat format on one day so that the SBE can consider a limited number of topics in-depth. Tom presented a few suggestions for retreat topics (listed below). The committee liked the topics on computer science, legislative platform, and recommendations to the JEIC. We are open to suggestions and would ask board members to recommend other issues but want to limit the number so there is adequate time to consider each topic. Kylie and Tom will work on finding a location either in Pinedale or Afton. Retreat topics:
  - a. Setting education goals (a statutory requirement)
  - b. Examining the Wyoming Accountability in Education Act (WAEA) and the results of the State System of Support efforts.
  - c. Exploring what other state boards of education are doing in relationship to computer science.
  - d. Examining collaboration opportunities for Wyoming education entities Pre-K to 16
  - e. Engaging citizens in discussions about education
  - f. Determining our legislative platform
  - g. Exploring recommendations for the Joint Education Interim Committee (JEIC) on educational governance structures

5. Future meeting locations – the following locations and meeting formats are being suggested
  - a. August 24 (Electronic – if needed)
  - b. September 20-21 (Pinedale/Afton)
  - c. October 18-19 (Glenrock/Casper - Must keep location due to report from the Professional Judgement Panel (PJP) consultant)
  - d. November 16 (Electronic)
  - e. December 20 (Electronic - if needed)
  - f. January 17 (Riverton/Lander)
  - g. February 21-22 (Cheyenne – legislature is in session)
  - h. March 21-(Electronic)
  - i. April 18-19 (Cody – will know what tasks have been assigned to SBE based on concluded legislative session.)
  - j. May 23 \*TBD
  - k. June 20 \* TBD
6. JEIC update and ramifications – Tom reviewed the major issues that were presented to the JEIC on behalf of the SBE. He will provide more details in his coordinator report. We asked Tom to suggest ways to initiate the conversation on the basket of goods and to suggest questions that should be asked. These were the issues presented:
  - a. Accountability discussion including the PJP, Mike Beck’s contract, work on leader accountability, and possible issues with teacher accountability.
  - b. Rules promulgation progress on Chapters 6, 10, and 31.
  - c. Initiating a discussion on the common core of knowledge and skills or “Basket of Goods”
7. Mapping administrative tasks – In an effort to continue finding ways for the SBE to be efficient and effective, Tom, Kari, Julie, and Kylie have been asked to work together to develop a list of administrative tasks -pre-meeting, during, and post-meeting -that need to be handled to ensure that our meetings run smoothly. They will report back to the administrative committee.
8. Communications contract – knowing that extending a contract or initiating a new contract takes time, the committee suggested that the Communications Committee bring forward recommendations on specific deliverables as soon as possible so a vote could be taken to proceed with negotiating a new contract.
9. Budget preparation – Max has been working with Trent Carroll on the SBE budget. The information he will present to the board will include past spending habits as well as a preliminary recommendation. We briefly discussed that there is no anticipation of requesting anything in a supplemental budget, but that knowing the process would be helpful.
10. Additional topics – no additional topics were presented.



**WYOMING  
STATE BOARD  
OF EDUCATION**

# **Policies of Governance**



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## **Section 1: Board Legal Status**

Wyoming state statute [§21-2-301](#) establishes the purpose, composition, and desired actions of the state board of education.

**Policy purpose:** It is the purpose of this policy to guarantee the Wyoming State Board of Education is properly constituted and performs the legislative responsibilities within the expectations set by the governor.

### **Policy statement:**

All board members will take The Oath of Office. board members will be sworn in prior to taking office by the chair.

#### Oath of Members of the board:

"I (name) do solemnly swear that I will support, obey and defend the constitution of the United States, and the constitution of the state of Wyoming; that I have not knowingly violated any law related to my election or appointment, or caused it to be done by others; and that I will discharge the duties of my office with fidelity."

Revised: June 24, 2016

Revised: May 18, 2018

## **Section 2: DUTIES OF THE STATE BOARD OF EDUCATION**

The Wyoming State Board of Education is required by statute to fulfill a broad range of requirements enumerated in [§21-2-304](#).

These include adopting Uniform Student Content and Performance Standards in designated subject areas; establishing equitable standards for graduation for all Wyoming high schools; implementing a statewide assessment system based on a coherent system of measures; implementing a statewide accountability system that includes a technically-defensible approach to calculate achievement, growth, readiness, and equity; and promulgating rules and regulations for implementing and administering a comprehensive school district teacher performance evaluation system and leader accountability system. Before promulgating rules, the State board of Education partners with the Wyoming Department of Education to assess and consider K-12 requirements. Once approved by the Governor and legislature, new K-12 requirements are administered by the Wyoming Department of Education.

**Policy purpose:** The purpose of this policy is to ensure the state board is meeting its statutory obligations, including the primary one: to set goals for the Wyoming public school system.

### **Policy statement:**

The board will annually review the established goals at its September meeting. At the meeting following the legislature, the board staff will update the board on any legislative changes that affect the power and duties of the board.

Revised: June 24, 2016

Revised: May 18, 2018

### **Section 3: STATE BOARD OF EDUCATION METHOD OF SELECTION**

The Wyoming State Board of Education was created by the Wyoming State Legislature in 1917 and is composed of 14 members, 11 of whom are appointed by the Governor and can vote, while three are *ex officio* (one of whom can vote). The *ex officio* members include the State Superintendent of Public Instruction (the voting *ex officio* member), a designee of the President of the University of Wyoming, and the Executive Director of the Wyoming Community College Commission.

Among the gubernatorial appointments, there must be one certified classroom teacher at the time of appointment, one certified school administrator at the time of appointment, two representatives of private business or industry, and seven additional appointees representing different regions of the state. Not more than six appointed members may be registered for the same political party. The appointments are typically six-year terms and approved by the state legislature.

These and other requirements for convening the Wyoming State Board of Education are contained in [§21-2-301](#).

**Policy purpose:** The purpose of this policy is to ensure the state board is following the statutory procedures for the selection of new members.

**Policy statement:**

The vice-chair shall report to the board on current status of board members and continue to monitor vacancies and appointments.

Revised: November 18, 2010

Revised: May 18, 2018

## **Section 4: BOARD MEMBER RESIGNATION**

Interim Executive Order 1997-4 effectively adopts the Executive Branch Code of Ethics as the process for board members to follow, in case of a need for resignation from the board.

**Policy purpose:** It is the purpose of this policy to define conditions of the procedure for resignation from the State board of Education by a member.

### **Policy statement:**

Once a board member accepts public office, he/she may resign at will by submitting a letter of resignation with an effective date to the Governor and a copy to the chair.

Until a resignation becomes effective or is acted upon by the governor, it may be withdrawn. Unless otherwise prohibited by law, the board member will continue in office until a successor is qualified.

Revised: November 18, 2010

Revised: May 18, 2018

## **Section 5: BOARD MEMBER REMOVAL FROM OFFICE**

Removal of appointive officers and commissioners; reason for removal to be filed [§9-1-202](#).

Any person who holds a state office or commission by appointment of the members of a state board, commission or administrator may be removed by:

(i) The board, commission or administrator which appointed him where provided by law; or

(ii) The governor, for malfeasance or misconduct in office.

(c) Reason for removal of appointed officers or commissioners shall be mailed or delivered to the person to be removed.

**Policy purpose:** It is the purpose of this policy to delineate the grounds for removal from the state board.

### **Policy statement:**

board members are encouraged to participate in all meetings and activities of the board in order to effectively perform their duties. If a board member misses an excessive number of meetings in a calendar year, the chair shall contact the member to discuss the matter and encourage future participation. If attendance does not improve, the board may take a vote to formally notify the governor of inadequate participation. Ultimately, it is the governor's role to decide whether the individual should continue as a member of the board.

Revised: November 18, 2010

Revised: May 18, 2018

## **Section 6: OFFICERS OF THE BOARD**

Wyoming State Statute [§21-2-301](#) also addresses the appointment, qualifications, terms and removal of members, meetings, and the election of officers.

**Policy purpose:** The purpose of this policy is to identify the officers of the Wyoming State board of Education.

**Policy statement:**

Officers of the State Board of Education shall consist of chair, vice-chair, and the treasurer.

Revised: November 18, 2010

Revised: May 18, 2018

## **Section 7: METHOD OF ELECTION OF OFFICERS**

**Policy purpose:** It is the purpose of this policy to clarify the timeframe and procedures for electing new state board officers.

### **Policy statement:**

Within the first three regular meetings of the year, the board shall elect from its membership a chair, vice-chair and treasurer. To facilitate this election, the following process shall be followed:

1. Prior to the first meeting of the calendar year, the current board chair shall appoint a three-member ad hoc nominating committee for the purpose of bringing forward nominations for chair, vice-chair and treasurer prior to the first meeting of the calendar year.
2. The board chair shall designate one of the three appointed members as chair of the nominating committee.
3. The nominating committee shall solicit comments from other board members regarding the characteristics needed by the next chair, vice-chair and treasurer and on possible nominations for the three offices. Nomination Committee will thoroughly interview any member who shows interest in any of the three offices.
4. Within the first three meetings of the calendar year, the chair of the nominating committee shall report the recommendations of the committee as to the nominations for the board's chair, vice-chair and treasurer.
5. After the nominating committee's report is received, the board chair shall open the floor for additional nominations, if there are any.
6. A motion, second and a majority of the membership voting "aye" shall occur for a member to be elected chair, vice-chair and treasurer.
7. In the event that a vacancy occurs prior to the end of the term of the board chair, the vice-chair will become chair and complete the rest of the previous chair's term.
8. If there is a vacancy of treasurer or vice-chair, the board chair will appoint a member to serve.
9. To be eligible for election for chair, vice-chair and treasurer, a member shall have served at least six months on the board.
10. The chair, vice-chair and treasurer shall be elected annually and can only serve three consecutive one-year terms. After serving three consecutive one-year terms as chair, vice-chair and treasurer, a member shall go out of office for one year before being eligible to serve in that same position again.
11. The current board chair will swear in and administer the Oath of Officers of the board to the newly elected board members immediately following the election but only if the elected member has not held an office before.

The officer's oath will be as set forth below:

**Oath of Officers of the board**

**OATH:** *I, (name) do solemnly swear that I will uphold the duties and the laws of the State of Wyoming based on statutes governing operations of the Wyoming State board of Education.*

Revised: August 18, 2016

Revised: May 18, 2018

## **Section 8: DUTIES OF THE BOARD CHAIR**

Wyoming statute [§21-2-301\(b\)](#) establishes the process for electing the board chair and lists duties, including the right to call meetings of the board. The same opportunity to call meetings of the state board are also given to the governor and the state superintendent.

**Policy purpose:** The purpose of this policy is to stipulate the duties of the chair.

### **Policy statement:**

The chair shall preside at all meetings of the board and shall be the board's official representative at all times unless otherwise provided by the board.

The chair may appoint members to represent the board at legislative and legal hearings, conferences, and other meetings deemed appropriate by the board.

Special meetings may be called by the chair. The chair may appoint special or ad hoc committees as needed. The chair of a special or ad hoc committee shall be designated by the board chair.

The chair shall, comply with [Section 19](#) of Wyoming State Board of Education policy manual on the development of agendas. The chair shall sign all contracts that the board is authorized to execute.

Last revised: August 18, 2016

## **Section 9: DUTIES OF THE BOARD VICE CHAIR**

**Policy purpose:** It is the purpose of this policy to stipulate the duties of the vice-chair of the state board.

### **Policy statement:**

In the event the chair is absent or otherwise unable to perform the duties of that office, the vice chair shall carry out the duties prescribed thereto.

The vice chair shall report to the board on current status of board members and continue to monitor vacancies and appointments.

Last revised: November 18, 2010

## **Section 10: DUTIES OF THE BOARD TREASURER**

**Policy purpose:** It is the purpose of this policy to enumerate the duties of the board treasurer.

### **Policy statement:**

The board treasurer will review board expenditures and report to the board at each meeting. The treasurer will be responsible for monitoring the budget and bring concerns to the board as necessary. The treasurer's report will be approved at each meeting.

The board treasurer will work in the *ad hoc* budget team consisting of the board chair, vice-chair, and board staff to create a draft budget request. The treasurer will work with the WDE budget team to place the budget request in the overall WDE budget request. The treasurer will represent the board's budget request before the Joint Appropriations Committee (or ask the chair, vice-chair, or board staff to attend).

Last revised: November 18, 2010

## **Section 11: DUTIES OF BOARD MEMBERS**

Several Wyoming statutes inform the duties of state board members including [§21-2-302](#), which defines a quorum, and majority vote (that requires eight affirmative votes to pass a motion); [§16-4-403](#) that defines meetings to be open, with participation by the public, and approved minutes; [§21-2-304](#) that lists duties of the State Board of Education; and, [§21-2-306](#) that specifies requirements for reports of the state superintendent and state board.

**Policy purpose:** The purpose of this policy is to enumerate the duties of state board members.

### **Policy statement:**

Duties of members of the State Board of Education shall include, but not be limited to, the following:

1. Regularly attend meetings of the board, enter into discussions, and participate in decision-making on items coming before the board.
2. Study and be familiar with materials related to the agenda items sent to board members prior to each meeting. Board members who need specific information from the Wyoming State Department of Education staff can contact the board staff or the department liaison.
3. Serve on committees when requested to do so by the chair.
4. Refer problems brought to the attention of the individual board member to the chair, and if necessary, engage the board for review, action, or submission to the board.
5. Recognize that each individual board member has no authority to act for the entire board except at the request of the board.

Last revised: September 23, 2016

## **Section 12: NEW BOARD MEMBER ORIENTATION**

**Policy purpose:** It is the purpose of this policy to standardize the orientation of new state board members.

**Policy statement:**

The chair, with the assistance of the board staff, department liaison, board attorney and at least one sitting board member shall provide an orientation for new board members before or as soon as possible after their first board meeting.

Last revised: September 23, 2016

## **Section 13: BOARD MEMBER COMPENSATION AND EXPENSES**

All appointed members of the state board shall receive compensation, per diem, and mileage for actual time spent in performance of their duties and traveling expenses while in attendance, and going to and from board meetings in the same manner and amount as members of the Wyoming legislature [§21-2-303](#).

**Policy purpose:** It is the intent of the state board that they receive compensation and travel reimbursements, consistent with payment procedures of the Wyoming State Legislature.

### **Policy statement:**

Board members will be reimbursed as defined in the [Wyoming State Board of Education Travel Regulations](#). While board members are compensated for in-person and for virtual meetings (lasting over three hours), they are not compensated for committee meetings or those lasting less than three hours. Board members may be compensated when representing the state board at meetings at the request of the board chair.

Last revised: May 08, 2013

## **Section 14: BUDGET POLICIES FOR TRAVEL CLAIMS**

When planning on attending a conference or meeting other than a regularly scheduled board meeting or hearing, board members must contact the education program specialist for the state board and explain the proposed travel arrangements. The education program specialist will then figure the appropriate cost of the conference or meeting and contact the board chair or designee for approval. The education program specialist will then notify the board member of the approval.

**Policy purpose:** It is the purpose of this policy to ensure proper procedures are followed in the expenditure of state board funds.

### **Policy statement:**

The board will follow the procedures listed below in committing the use of public funds:

#### **Travel Reimbursement**

All overnight travel, other than regular board meetings or hearings must be pre-approved by the board chair or designee. All convention expenses must receive prior approval of the board chair or designee.

#### **Mileage**

State Board of Education members are reimbursed in accordance with the state approved mileage rate.

#### **Lodging**

Out-of-state lodging shall be reimbursed for actual expenses incurred upon presentation of a paid receipt. The government rate should be obtained at all hotels, when available.

#### **Per Diem**

*Per diem* will be paid at the state approved rate.

Last revised: October 14, 2016

## **Section 15: BOARD-STATE SUPERINTENDENT RELATIONS**

**Policy purpose:** It is the purpose of this policy to specify the need for collaboration and consistent open dialogue between the Wyoming State Board of Education and the Wyoming Department of Education.

### **Policy statement:**

The board and state superintendent shall cooperate fully to ensure the state system of public education may constantly be improved. Open dialogue and ongoing two-way communication is essential for the board and department to meet their separate and joined duties.

The board chair will contact the state superintendent on matters that affect and/or involve the Wyoming Department of Education. Similarly, the board chair will be contacted by the state superintendent or designee on any correspondence, representation, and or meetings that involve the Wyoming State Board of Education.

Last revised: November 18, 2010

## **Section 16: ATTORNEY**

Wyoming State Statute [§9-1-608 \(b\)](#) stipulates that the state attorney general represents the State board and the State board cannot retain other counsel without the attorney general's prior approval.

**Policy purpose:** It is the purpose of this policy to ensure that the state board adheres to statute regarding hiring legal representation, while providing access to legal advice as provided for by the attorney general.

### **Policy statement:**

Any board member may directly contact the board's attorney in the Attorney General's Office for assistance.

Last revised: November 18, 2010

## **Section 17: BOARD MEETINGS**

The following excerpts from [§16-4-403](#) stipulate the terms under which public meetings are held with every attempt to conduct them in open and transparent means to facilitate the opportunity of the public to know about and participate in meetings of the state board.

(a) All meetings of the governing body of an agency are public meetings, open to the public at all times, except as otherwise provided. No action of a governing body of an agency shall be taken except during a public meeting following notice of the meeting in accordance with this act. Action taken at a meeting not in conformity with this act is null and void and not merely voidable.

(b) A member of the public is not required as a condition of attendance at any meeting to register his name, to supply information, to complete a questionnaire, or fulfill any other condition precedent to his attendance. A person seeking recognition at the meeting may be required to give his name and affiliation.

(c) Minutes of a meeting:

(i) Are required to be recorded but not published from meetings when no action is taken by the governing body;

(ii) Are not required to be recorded or published for day-to-day administrative activities of an agency.

(d) No meeting shall be conducted by electronic means or any other form of communication that does not permit the public to hear, read or otherwise discern meeting discussion contemporaneously. Communications outside a meeting, including, but not limited to, sequential communications among members of an agency, shall not be used to circumvent the purpose of this act.

**Policy purpose:** The purpose of this policy is to recognize and respect the opportunity for Wyoming citizens to gain access to meetings of the state board whether in person or via electronic means. It details the annual meetings of the state board, to make the public aware of the major events undertaken annually by the board.

**Policy statement:**

### **Types of State board Meetings**

Meetings of the board may include regular meetings, special meetings, emergency meetings, committee meetings, and public hearings.

## **Annual Organizational Meeting**

Any of the first three meetings of the calendar year shall be designated an annual meeting for the purpose of election of board officers.

## **Regular Board Meetings**

Regular meetings of the board shall be held in any month, so long as the board meets at least four times every year. The board will ask the Administration Committee to determine whether meetings will be in person or held virtually and recommend the location of such in person meetings.

Regular board meetings will be held in conjunction with the State Board of Vocational Education. When appropriate, the State Board of Education will adjourn and immediately reconvene as the State Board of Vocational Education or *vice versa*.

## **Special Board Meetings**

Special meetings of the board may be called by the chair, state superintendent, governor, or a majority of board members.

There are certain items that are discussed at the same time every year.

## **State Board of Education Meetings**

### **January/February**

- Legislature
- Review BOCES/BOCHES Agreements
- Election of Officers and review of duties
- Invitation to the Governor to attend

### **April**

- Charter Schools Update
- Set annual meeting schedule
- Review of strategic plan

### **June**

- Accreditation
- Alternative School Schedules
- Budget
- Select committee to review policy manual

### **September Retreat (Chair's choice of location)**

- Board training and self-evaluation (NASBE is recommended)
- Review and update Wyoming Education Goals and Strategic Plan
- Review recommendations from policy manual committee
- Review of legislative issues

### **November**

- Review the recommendations of the self-evaluation
- Nominating Committee appointed if needed
- Adopt any policies of governance changes

### **Other topics**

- School Restructuring Updates
- Wyoming Content and Performance Standards, District Assessment System and Statewide Assessment Issues
- Court Ordered Placement-Residential Treatment Center Approval
- District and School Accountability
- Boundary Changes

Last revised: October 14, 2016

## **Section 18: BOARD PUBLIC HEARINGS (Recommendation to Delete, as it duplicates #17)**

Wyoming State Statute [§16-4-403](#) requires meetings of the Wyoming State Board of Education to be open to the public, with the requirement that minutes of such meetings will become official once the minutes are approved at a subsequent meeting of the board. It also requires that no meeting shall be conducted by electronic means or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously.

**Policy purpose:** It is the purpose of this policy to comply with the open meetings laws, especially when holding meetings virtually.

**Policy statement:** Every effort shall be made to hold virtual meetings in a way that facilitates public access to both the oral comments and to the visual images of board packet information, including documents, statutory citations, etc.

Last revised: October 14, 2016

## **Section 19: BOARD MEETING AGENDAS**

**Policy purpose:** It is the purpose of this policy to define the process for the development and approval of the state board meeting agenda.

### **Policy statement:**

The chair shall call for agenda items at least two weeks prior to a scheduled meeting. Any member of the board, as well as the WDE board liaison and board staff may submit agenda items that are linked to board work, legislative or statutory mandates, or strategic priorities. The education program specialist will distribute draft copies of the agenda to all SBE members and solicit suggestions for revisions. The chair, vice-chair, and chair of the Administrative Committee will finalize the agenda by determining the items and the order in which the items will be placed on the agenda. The State Director of Vocational Education will provide items for the State Board of Vocational Education meeting agenda. The education program specialist will determine a deadline for submission of supporting items for the board meeting packet. Supporting information shall be provided by the deadline or the item may be removed from the agenda. The board understands that emergencies arise and some items may occasionally need to be added. A complete board packet will be distributed to board members one week prior to the meeting. board members who have questions or want additional information should submit those requests to the education program specialist prior to the meeting so she can communicate with the presenter.

The board will approve the agenda at the beginning of each meeting. Members may request clarification or explanation on any item. The chair will entertain one motion and a second to approve all items on the agenda as a whole. Any item may be removed from the work or business session by consensus of the board. The agenda for the working session of the meeting will contain items of a routine nature and to the extent possible include items such as:

- Written reports from the WDE on compliance issues, rule and regulations efforts, progress on statewide testing development, work on content standards, and WDE initiatives
- Written reports from the board staff
- Board Committee reports
- Monitoring of board strategic goals
- Visits to schools
- Professional learning and growth for board members

The agenda for the business session of the meeting will contain items that will need discussion and action. Previous board meeting minutes and the treasurer's report shall be presented and approved. Discussion items that may require action to be taken at a subsequent meeting will be presented during the business meeting. Every effort should be made to have items appear as a discussion issues prior to taking action at a later meeting. Public comments will be addressed during the business session.

The agenda for the State Board of Vocational Education will contain items relevant to career technical education.

The meeting agenda may be amended at the beginning of each meeting by motion and subsequent majority vote.

Last revised: September 23, 2016

## **Section 20: BOARD MEETING MINUTES**

Wyoming State Statute [§16-4-403](#) delineates the requirements for minutes of state board meetings.

**Policy purpose:** It is the purpose of this policy to define the process for developing and approving minutes, along with limitations on recordings of public speakers.

### **Policy statement:**

The education program specialist shall have recorded the minutes of the proceedings of the board. The official minutes of the State board of Education shall be kept in the State board of Education's office located at the Wyoming Department of Education and shall be open to inspection by the public.

A copy of the minutes of a meeting of the board shall be e-mailed to each board member and the minutes shall be approved at the succeeding meeting. The minutes shall not be considered official unless and until approved by the board.

### **Recording Public Speakers Comments during Public Comment Period**

The minutes will reflect only the speaker's name, organization and topic of discussion. A copy of any preprinted public speaker's comments handed out at the meeting shall be attached to the minutes.

Last revised: November 18, 2010

## **Section 21: PUBLIC PARTICIPATION AT STATE board MEETINGS**

**Policy purpose:** It is the purpose of this policy to ensure the public has every right to address the state board on issues related to its goals to help improve the quality of public schooling in Wyoming.

### **Policy statement:**

The State board of Education recognizes its obligation to help citizens of the State understand the operation of the public schools. The board is also aware of the need for communication with citizens to permit the public to voice opinions and also to permit the board to explain general policies governing the operation of the schools in the State. Therefore, in an effort to provide a procedure by which matters of statewide interest concerning the schools may be brought before the board while at the same time permitting the board to conduct its meetings in an orderly and efficient manner, the State Board of Education offers the following policy with regard to citizen participation in the meetings of the board:

Citizen participation will take place only during that part of the regular meeting designated on the agenda as the “Public Comment Period.” Procedures for the “Public Comment Period” are as follows:

- 1) No commercial solicitations will be allowed. If any speaker makes such an attempt, he/she will immediately be asked to refrain from making any further remarks of a commercial nature.
- 2) The chair shall limit each individual’s comments to five (5) minutes, and the entire period to thirty (30) minutes.
- 3) There will be no response by board members to remarks made during the Public Comment Period. board members may ask clarifying questions after remarks are complete. board action, if any is warranted, shall be taken only at a subsequent meeting.
- 4) These procedures may be temporarily waived by a vote of two-thirds (2/3) of the board members present at any meeting where such a waiver is justified by extenuating circumstances.
- 5) The chair has the authority to cut off a presenter if he/she becomes out of order. Complaints filed with the board should relate only to matters over which the board has direct jurisdiction. It is not within the authority of the board to exercise those functions which the Legislature has specifically conferred on county and local boards of trustees. Areas of local involvement, such as failure of a teacher to be re-employed by a local

board of trustees, assignment of pupils, discipline of students, and similar matters related to local operations, should be pursued at the district level.

Statement of chair: The following statement will be read before any citizen speaks to the board during the Public Comment Period: “We appreciate your interest in public education. You will be allotted five (5) minutes for your comments. Since we are hearing your comments for the first time, it is our policy to accept your comments as information. If we have questions or need additional information, we will contact you at a later date. Thank you for understanding our procedures.”

Last revised: November 18, 2010

## **Section 22: EXECUTIVE SESSIONS**

Statutory provisions for public meetings to go into executive session are enumerated in [§16-4-405](#).

**Policy purpose:** The purpose of this policy is to ensure the proper compliance of the Wyoming State board of Education with the law (and the spirit) of executive session statute.

### **Policy statement:**

The board, by majority vote of the membership present, may go into executive session for the reasons specified by law. (See Statute as printed above.) An executive session is commonly attended by members of the board, board Attorney, Executive Assistant, and staff identified by the chair as necessary to contribute to items under consideration; and, if applicable, parties being heard on appropriate executive sessions matters.

Before going into executive session, the chair shall put the question of whether to meet in executive session to vote. If such vote is favorable, the chair will then announce the *specific* purpose of the executive session, identify the reason for going into an executive session.

No vote will be taken in executive session. A vote may be taken on any action discussed in executive session only after the board returns to open session. No notes will be taken in executive session except for the Recording Secretary, and everything is confidential.

Minutes will be taken in executive session; however, the minutes shall be confidential and produced only in response to a valid court order.

Last revised: September 23, 2016

## **Section 23: VOTING METHOD**

**Policy purpose:** It is the purpose of this policy, to clarify the voting procedures of the state board.

### **Policy statement:**

Votes of the board shall be by voice vote. The chair may call for a show of hands in cases where it cannot be determined whether a motion has carried. Any member of the board may request a verification of the voice vote by requesting a roll call vote. Votes may be cast by board members in person only.

An affirmative vote for a motion requires a majority of the entire board (even though two *ex officio* members are not voting members).

Last revised: November 18, 2016

## **Section 24: ETHICS**

The Executive Branch Code of Ethics is fully presented in **Interim Executive Order 1997-4**.

**Policy purpose:** It is the purpose of this policy to ensure that members of the Wyoming State board of Education conduct themselves following the prescription for ethical behavior, recognizing that they serve at the pleasure of and as representatives of the governor of the state of Wyoming.

### **Policy statement:**

Each board member is responsible for both integrity and the consequences of his/her own actions. Each and every board member must follow the highest standards of honesty, integrity, and fairness when engaging in any activity particularly with the public, and other board members.

No member of the board is entitled, nor should s/he expect to receive any preferential treatment in service or status beyond that of any taxpayer in Wyoming.

board members may not knowingly take advantage or benefit from information obtained from their official duties and responsibilities as a member of the board.

The chair of the board is responsible for immediate interpretation, application and enforcement of policies related to board membership. All complaints concerning a possible ethical violation shall be made to the chair who shall make an initial determination of the issue. If further action is warranted, the chair will pursue an appropriate course of action.

Last revised: November 18, 2016

## **Section 25: ANNUAL OPERATING BUDGET OF THE BOARD**

**Policy purpose:** It is the purpose of this policy to establish collaborative procedures for ensuring the state board requests (and receives) the budget needed to fulfill the statutory duties of the board.

### **Policy statement:**

The fiscal year for the State board of Education begins each year on the first day of July and ends on the thirtieth day of June.

The superintendent or department Liaison, will share with the board staff, treasurer, chairman and education program specialist all applicable worksheets and budget information to plan the biennial board budget. With assistance from the Department the board will develop a draft biennial budget. The board will review the budget and recommend revisions, if necessary before final approval and submission of the budget.

The board staff will be present in the meeting in which the proposed budget is presented to the Joint Appropriations Committee.

Last revised: January 13, 2017

## **Section 26: MONITORING CONTRACTS**

**Policy purpose:** It is the purpose of this policy to ensure the state board is meeting its obligation to properly execute and monitor contracts.

### **Policy statement:**

The board may contract with outside individuals or corporations for services. The administrative committee shall monitor those contracts on an ongoing basis for efficacy and efficiency.

Last revised: March 24, 2017

## **Section 27: ROBERT'S RULES OF ORDER - SUMMARY VERSION**

### **For Fair and Orderly Meetings & Conventions**

Provides common rules and procedures for deliberation and debate in order to place the whole membership on the same footing and speaking the same language. The conduct of all business is controlled by the general will of the whole membership - the right of the deliberate majority to decide. Complementary is the right of at least a strong minority to require the majority to be deliberate - to act according to its considered judgment after a full and fair "working through" of the issues involved. Robert's Rules provides for constructive and democratic meetings, to help, not hinder, the business of the assembly. Under no circumstances should "undue strictness" be allowed to intimidate members or limit full participation.

The fundamental right of deliberative assemblies require all questions to be thoroughly discussed before taking action.

The assembly rules - they have the final say on everything.  
Silence means consent.

- Obtain the floor (the right to speak) by being the first to stand when the person speaking has finished; state Mr./Madam chairman. Raising your hand means nothing, and standing while another has the floor is out of order. Must be recognized by the chair before speaking.
- Debate can not begin until the chair has stated the motion or resolution and asked "are you ready for the question?" If no one rises, the chair calls for the vote.
- Before the motion is stated by the chair (the question) members may suggest modification of the motion; the mover can modify as he pleases, or even withdraw the motion without consent of the seconder; if mover modifies, the seconder can withdraw the second.
- The "immediately pending question" is the last question stated by the chair! Motion/Resolution - Amendment - Motion to Postpone
- The member moving the "immediately pending question" is entitled to preference to the floor.
- No member can speak twice to the same issue until everyone else wishing to speak has spoken to it once.
- All remarks must be directed to the chair. Remarks must be courteous in language and deportment - avoid all personalities, never refer to others by name or allude to motives.
- The agenda and all committee reports are merely recommendations. When presented to the assembly and the question is stated, debate begins and changes occur.

## The Rules

- **Point of Privilege:** Pertains to noise, personal comfort, etc. - may interrupt only if necessary.
- **Parliamentary Inquiry:** Inquire as to the correct motion - to accomplish a desired result, or raise a point of order.
- **Point of Information:** Generally applies to information desired from the speaker: "I should like to ask the (speaker) a question."
- **Orders of the Day (Agenda):** A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules).
- **Point of Order:** Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made
- **Main Motion:** Brings new business (the next item on the agenda) before the assembly.
- **Divide the Question:** Divides a motion into two or more separate motions (must be able to stand on their own).
- **Consider by Paragraph:** Adoption of paper is held until all paragraphs are debated and amended and entire paper is satisfactory; after all paragraphs are considered, the entire paper is then open to amendment, and paragraphs may be further amended. Any Preamble can not be considered until debate on the body of the paper has ceased.
- **Amend:** Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions.
- **Withdraw/Modify Motion:** Applies only after question is stated; mover can accept an amendment without obtaining the floor.
- **Commit /Refer/Recommit to Committee:** State the committee to receive the question or resolution; if no committee exists include size of committee desired and method of selecting the members (election or appointment).
- **Extend Debate:** Applies only to the immediately pending question; extends until a certain time or for a certain period of time.
- **Limit Debate:** Closing debate at a certain time, or limiting to a certain period of time.
- **Postpone to a Certain Time:** State the time the motion or agenda item will be resumed.
- **Object to Consideration:** Objection must be stated before discussion or another motion is stated.
- **Lay on the Table:** Temporarily suspends further consideration/action on pending question; may be made after motion to close debate has carried or is pending.
- **Take from the Table:** Resumes consideration of item previously "laid on the table" - state the motion to take from the table.
- **Reconsider:** Can be made only by one on the prevailing side who has changed position or view.

- **Postpone Indefinitely:** Kills the question/resolution for this session - exception: the motion to reconsider can be made this session.
- **Previous Question:** Closes debate if successful - may be moved to "Close Debate" if preferred.
- **Informal Consideration:** Move that the assembly go into "**Committee of the Whole**" - informal debate as if in committee; this committee may limit number or length of speeches or close debate by other means by a 2/3 vote. All votes, however, are formal.
- **Appeal Decision of the chair:** Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business.
- **Suspend the Rules:** Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified.

Last revised: March 25, 2016

## **Section 28: PUBLIC COMMENT DURING RULEMAKING**

**Policy purpose:** It is the purpose of this policy to clarify receiving comments from the public during rulemaking considerations.

### **Policy statement:**

The board shall receive comments from the public made in response to its rulemaking. The board shall receive these comments at a public meeting or by receiving written comments. The board shall respond to the comments it receives by aggregating the comments it received and making them and its responses available to the public when a rule is adopted. The board shall respond to a commenter directly if the commenter requests.

Rulemaking decisions made by the board shall not be based on private comments or conversations to which the public and other participating parties have no access, and no board member shall willingly engage in private conversations about the rulemaking during the promulgation process. These communications are referred to as ex-parte communications. Those who engage with the board must have confidence that they will be dealt with fairly and that they have the right to participate in board proceedings. Ex-parte communications during rulemaking affect the integrity of the board's decision-making process in raising questions of fairness, accuracy in fact-finding, unequal access to decision makers, and improper influence. A board member, if approached individually about a rule currently in the promulgation process, may refuse to discuss the matter or receive the communication. If the board member receives the ex-parte communication, the board member shall, if the communication is in writing, submit the communication to the persons managing comments to be addressed with all other comments received. If the communication is not in writing, the board member shall reduce the communication to a written summary and submit that as if it were a written communication. If the communication occurs after the time for public comment has ended, and if necessary or desirable to assure an effective opportunity for public participation, the board shall provide an opportunity for the public to review the record and comment before the board makes a final decision.

The board may entertain or receive public comments on subjects unrelated to pending rules at any time. The comments may be submitted in writing to the board or the board may hear from members of the public at any time. The board usually, though does not

always, reserves a time in public meetings to receive comments and feedback from those present.

Last revised: March 24, 2017

## **(Proposed) Section 29: BOARD COMMUNICATIONS**

Issues related to communications are intrinsically interwoven into the ethics statutes and executive orders. The Ethics Act is at [W.S. 9-13-101 through -109](#), and the two executive orders are Executive Order [1997-4](#) and [1981-12](#). Linked are the AG's office lobbying memos as well - the lobbying statutes are at [W.S. 28-7-101 through -201](#).

**Policy purpose:** The purpose of this policy is to identify the various channels of communication within the SBE, their intended purposes, and the roles and responsibilities of board members in accessing and using them. It also attempts to inform board members about the channels and best practices for interacting with the educational community and broader public throughout Wyoming.

### **Policy statement:**

The SBE has the objective of enhancing and streamlining internal communications to reinforce the board's vision and strategic priorities. This involves ensuring that information is equitably disseminated to board members and is relevant, easy to access, accurate, and appropriate in both content and quality.

Each member of the SBE has a digital device allowing them to access and collaborate about key documents and information, primarily in email and on the shared Google Docs platform. SBE will continue to develop and expand new communication platforms, channels, and tools to improve information sharing and collaboration among SBE members.

This policy is to be implemented in a way that ensures compliance with relevant legislative requirements and standards of best practice.

board members are encouraged to share information with their peers and the broader education community about activities and events that have an association with SBE.

In some cases, the board chair or delegate will speak, write, and communicate virtually for the board on issues that have come before the board. Every effort will be made to make such communications known to the entire board as time allows.

It is the individual responsibility of each board member to follow the "chain of command" in referring communication issues to the responsible party. Every effort will be made to date and time-stamp communications emanating from the board.

Last revised:

CREATING  
OPPORTUNITIES  
FOR STUDENTS TO  
KEEP WYOMING  
STRONG

## Memorandum

To: State Board of Education  
From: Megan Degenfelder, Chief Policy Officer  
Elaine Marces, Education Consultant  
Date: July 12, 2018  
Subject: Arapaho Charter School Waiver Request

Item Type: Action



### JILLIAN BALOW

Superintendent of Public Instruction

### DICKY SHANOR

Chief of Staff

### BRENT BACON

Chief Academic Officer

### MEGAN DEGENFELDER

Chief Policy Officer

### DIANNE BAILEY

Chief Operations Officer



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### ON THE WEB

edu.wyoming.gov  
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### Background:

Wyoming Statute 21-2-304(g) allows charter schools to apply to the State Board of Education (SBE) for waivers from certain statutory requirements. In 2002, Fremont County School District #38 approved an application to create Arapaho Charter School, but because the district was not unified according to W.S. 21-3-104, the charter school subsequently requested a waiver from the unification requirement in order to operate as a 9-12 high school. The SBE granted Arapaho Charter School a waiver in 2003, and the school is now reapplying for that waiver to continue operations as a 9-12 school.

### Statutory Reference:

- W.S. 21-3-102 and 21-3-304
- Chapter 32 Charter School Rules and Regulations

### Supporting Documents/Attachments:

- 2002 AG opinion regarding unification

### Proposed Motion:

"I move to approve Arapaho Charter School's waiver request to operate as a 9-12 school."



# Office of the Attorney General

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December 9, 2002

Dr. Annette Bohling  
Deputy State Superintendent  
Wyoming Department of Education  
Hathaway Building, Second Floor  
2300 Capitol Avenue  
Cheyenne, Wyoming 82002-0050

**RE:** Request for opinion on issues regarding the formation of a high school charter school in Fremont County School District #38.

Dear Dr. Bohling,

You recently wrote to our office requesting an opinion whether Fremont County School District #38 (Fremont #38) may form a charter high school. In your memo, you set forth the following seven (7) questions:

1. Is a non-unified school district allowed to offer a high school program?
2. Is a non-unified district allowed to establish a charter high school?
3. If the answer to questions 1 and 2 is no, then does the district have a legal route to reorganize?
4. If the answer to question 1 or 2 is yes, then how should the ADM be calculated for a charter high school?

5. If the charter is established specifically to meet the needs of at-risk students, may the district limit enrollment to at-risk students?
6. Does a charter school qualify for the small school adjustment?
7. If a non-unified district is allowed to establish a charter school, is the district still allowed to pay tuition for students attending out of district schools as allowed by WYO. STAT. § 21-4-501?

### **QUESTION ONE**

Is a non-unified school district (a.k.a. elementary school district) allowed to offer a high school program?

#### **SHORT ANSWER**

An elementary school district cannot offer a high school educational program.

#### **DISCUSSION**

WYO. STAT. §§ 21-3-102 through 21-3-104 define the three (3) different types of school districts in Wyoming as follows:

1. "Every school district in the state offering an educational program in grades kindergarten through eight (8) **only** is hereby declared to be an elementary school district. . . ." WYO. STAT. § 21-3-102 (emphasis added);
2. "Every school district in the state offering an educational program in grades nine (9) through twelve (12) **only** is hereby declared to be a high school district. . . ." WYO. STAT. § 21-3-103 (emphasis added);
3. "Every school district in the state offering an educational program in grades kindergarten through twelve (12) is hereby declared to be a unified school district. . . ." WYO. STAT. § 21-3-104.

WYO. STAT. § 21-6-222(a) states "[a]ny elementary school district not yet organized and unified under the provisions of the Wyoming School District

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Organization Act of 1969, may petition the district boundary board to be included within a unified school district of the county in which it is located.”

WYO. STAT. § 21-6-208 further provides:

Whenever at least one hundred . . . electors of any area within an existing school district, which area includes both a high school and one (1) or more elementary schools . . . petition the district boundary board for creation of the area into a new unified school district, the district boundary board may, after holding a hearing . . . submit a proposal to form the area into a new unified school district . . .

When interpreting statutes, the Wyoming Supreme Court will look first to the language of the statute, and if the language is clear and unambiguous, the Court will not look at rules of statutory construction, nor will it attribute another meaning to the statute, but will give the statute effect according to its plain and obvious meaning. *Amoco Production Co. v. Hakala*, 644 P.2d 785 (Wyo. 1982); *Board of County Com'rs of Campbell County v. Ridenour*, 623 P.2d 1174 (Wyo. 1981); *Hayes v. State*, 599 P.2d 558 (Wyo. 1979); *Mountain Fuel Supply Co. v. Emerson*, 578 P.2d 1351 (Wyo. 1978). Where a statute is plain and unambiguous, exceptions not made by the legislature cannot be read into it. *Lindsay v. Collins*, 96 F.Supp. 994 (U.S.D.C. 1951). In other words, the Supreme Court will not read into laws what is not there. *Matter of Voss' Adoption*, 550 P.2d 482 (Wyo. 1976).

Furthermore, the statutes should be construed as a whole. CRAWFORD STATUTORY CONSTRUCTION § 165, p. 260 (1940). In construing a statute, a court must give effect, if possible, to every word, clause and sentence of the statute. *Basin Elec. Power Co-op v. State Board of Control*, 578 P.2d 557 (Wyo. 1978). Thus, all portions of an act must be read in *pari materia*, for the purpose of ascertaining and giving effect to the legislative intent. *Haddenham v. City of Laramie*, 648 P.2d 551 (Wyo. 1982). The statute must be construed so that no part will be inoperative or superfluous. *State Board of Equalization v. Cheyenne Newspapers, Inc.*, 611 P.2d 805 (Wyo. 1980).

The language of WYO. STAT. §§ 21-6-208 and 21-6-222 is plain and unambiguous and when read in *pari materia*, as required, one must conclude that an elementary school district cannot offer a nine (9) through twelve (12) educational program, nor can an elementary school district petition to become

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a new unified school district under the criteria set forth in WYO. STAT. § 21-6-208. An elementary school district may, however, petition to be included within a unified school district as provided in WYO. STAT. § 21-6-222.

The legislature did not provide any exceptions within the statutes, and in fact, clearly set forth the circumstances and procedures under which a non-unified school district may become and/or be included within a unified school district. The Wyoming Supreme Court has held that "where the language of a statute is plain, unambiguous and conveys a clear and definite meaning, . . . the court has no right to look for and impose another meaning." *Geraud v. Schrader*, 531 P.2d 872, 878 (Wyo. 1975); *Druley v. Houdesheldt*, 1956, 75 Wyo. 155, 160, 294 P.2d 351, 352, reh.den. 75 Wyo. 155, 296 P.2d 251.

We can neither read exceptions into a statute where none exist, nor extract a different meaning from the statute when the language and meaning are clear. An elementary school district cannot offer a high school educational program.

## **QUESTION TWO**

Is a non-unified district (a.k.a. elementary school district) allowed to establish a charter high school?

### **SHORT ANSWER**

An elementary school district is itself not allowed to establish a charter high school. However, an elementary school district may approve an application for a charter high school, if it is determined the sole purpose for the charter school is not to avoid closure or consolidation, and if the state board grants a waiver allowing the school district to provide a nine (9) through twelve (12) educational program.

### **DISCUSSION**

WYO. STAT. § 21-3-301(a) states the purpose of Article 3, Chapter 3 of Title 21 is "to provide opportunities for teachers, parents, pupils and community members to establish and maintain schools that operate independently from the existing school district structure . . ." WYO. STAT. § 21-3-306(a) further states "[a]ny person may apply to the district board for the establishment of a new charter school . . ." The language of these statutes is plain and unambiguous.

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Only teachers, parents, pupils and/or community members may apply to establish a charter school. An elementary school district, itself, is not allowed to establish a charter high school. However, the question of whether an elementary school district may approve an application for a charter high school, may be answered as follows:

WYO. STAT. § 21-3-304(m) states “[a] charter school shall be authorized to offer any educational program that may be offered by a school district unless expressly prohibited by its charter or by state law.” WYO. STAT. § 21-3-304(g) further provides the state board with the authority to “. . . waive state statutory requirements . . .” (except statutes which pertain to assessments or standards). However, WYO. STAT. § 21-3-303(b) states “[n]o charter shall be granted under this article if it is determined that its sole purpose is to avoid consolidation or closure of any school or district.”

Since statutory construction requires a statute be read in its entirety, and that every word, clause, and sentence be given effect, we must read all sections of Title 21, Article 3, Chapter 3 together. WYO. STAT. §§ 21-3-304(m) and 21-3-304(g) provide a method in which an elementary school district may approve a charter high school application, subject to the approval of specific waivers by the state board. However, WYO. STAT. § 21-3-303(b), requires the application be denied if the applicant is attempting to circumvent the possible consolidation of one district with another.

As stated in WYO. STAT. § 21-3-301, only “teachers, parents, pupils and community members are allowed to establish and maintain [charter] schools.” Thus, Fremont #38, itself, is not allowed to establish a charter high school. However, it may approve a charter application if it is determined the sole purpose for the charter school is not to avoid closure or consolidation, and if the state board grants a waiver allowing the school district to provide a nine (9) through twelve (12) educational program.

### **QUESTION THREE**

If the answer to questions 1 and 2 is no, then does the district have a legal route to reorganize?

#### **SHORT ANSWER**

Under WYO. STAT. § 21-6-201 *et seq.* Fremont #38 may petition to be included within a unified school district in the county in which it is located.

### **DISCUSSION**

WYO. STATS. §§ 21-6-201 through 21-6-225 provide the mechanism for the “. . . organization, reorganization and boundary adjustment of the school districts in this state . . .” WYO. STAT. § 21-6-201. WYO. STAT. § 21-6-222(a) provides “[a]ny elementary school district not yet organized and unified under the provisions of the Wyoming School District Organization Act of 1969, may petition the district boundary board to be included within a unified school district of the county in which it is located.”

When interpreting statutory language, we must look first to the language used in the statute. If the wording is clear and unambiguous, and no exceptions have been provided, none shall be read into the statute. The language contained in WYO. STAT. § 21-6-222(a) is clear and unambiguous. Fremont #38 may petition to be included within a unified school district in the county in which it is located.

### **QUESTION FOUR**

If the answer to question 1 or 2 is yes, then how should the ADM (average daily membership) be calculated for a charter high school?

### **SHORT ANSWER**

WYO. STAT. § 21-3-314 provides the method for calculating the base anticipated enrollment of a proposed charter school. From this base anticipated enrollment, the Department of Education Finance Department is able to calculate the ADM which will be used in the funding model.

### **DISCUSSION**

WYO. STAT. § 21-3-314 provides for funding of a new charter school using a formula process involving the ADM. Specifically, WYO. STAT. § 21-3-314(b) states the “. . . approved charter school shall provide the local school district with the names, grades and school for current enrollment for all students who plan to enroll in the proposed charter school. The information shall be provided no

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later than March 1 of the school year preceding the school year in which the charter school plans to begin operation.” This anticipated enrollment provides the basis from which the Department of Education Finance Department is able to calculate the ADM to be used in the funding model.

Generally, education laws should be given a reasonable construction. SUTHERLAND STATUTORY CONSTRUCTION, Volume 3, Section 66.02 (Sands 4<sup>th</sup> ed. 1974). Furthermore, the words in a statute must receive a reasonable construction. *Kelley v. Rhoads*, 7 Wyo. 237, 51 P. 593 (1898). Again, the presumption is that the legislature aims to enact legislation that is reasonable and logical. *Department of Revenue and Taxation v. Irvine*, 589 P.2d 1295 (Wyo. 1980).

While calculating the ADM of a charter school is a complex technical process, WYO. STAT. § 21-3-314 provides a reasonable basis from which the Department of Education Finance Department should be able to calculate an appropriate ADM for the charter high school proposed by Fremont #38.

### **QUESTION FIVE**

If the charter is established specifically to meet the needs of at-risk students, may the district limit enrollment to at-risk students?

#### **SHORT ANSWER**

A charter school may not limit the enrollment in its school to any one category of student.

#### **DISCUSSION**

WYO. STAT. § 21-3-304(a) states “[a] charter school shall be a public, nonsectarian, nonreligious, nonhomebased school which operates within a public school district[,]” and WYO. STAT. § 21-4-301 provides “. . . the public schools of each school district in the state shall at all times be equally free and accessible to all children resident therein . . .”

Furthermore, WYO. STAT. § 21-3-304(c) states “[a] charter school shall be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national

origin, religion, ancestry or need for special education services. Enrollment decisions shall be made in a nondiscriminatory manner specified by the charter school applicant in the charter school application. Enrollment decisions shall not discriminate against at-risk students or special program students.”

It is presumed that the legislature aims to enact legislation which is reasonable and logical. *Department of Revenue and Taxation v. Irvine*, 589 P.2d 1295 (Wyo. 1980). The language used in WYO. STAT. § 21-3-304(c) is plain and unambiguous. The legislature intended that charter schools not discriminate against at-risk or special program students. It is reasonable to conclude the legislature also intended that charter schools not discriminate against students who are not at-risk or in special programs. Therefore, charter schools should be accessible to all students in the resident area, and the charter high school proposed in Fremont #38 cannot limit the population to at-risk students.

## **QUESTION SIX**

Does a charter school qualify for the small school adjustment?

### **SHORT ANSWER**

A charter school may qualify for the small school adjustment if it meets the criteria set forth in WYO. STAT. § 21-13-318(f) and if it negotiates with the school district to receive the funding adjustment. However, an alternative charter high school would not qualify for the small school adjustment unless a waiver from the state board is obtained.

### **DISCUSSION**

WYO. STAT. § 21-3-314(d) states “. . . the charter school, at its discretion, may negotiate with the school district for funding under the adjustments . . . under W.S. 21-13-309(n).” WYO. STAT. § 21-13-309(n)(iii) includes an adjustment for “. . . necessary small schools . . . as determined under W.S. 21-13-318; . . .” WYO. STAT. § 21-13-318(f) sets forth the criteria under which a school may be considered a necessary small school as follows:

[A] school established on or after July 1, 1998, shall meet the following criteria:

- (i) The school meets the criteria listed under subsection (g) of this section;
- (ii) The proposed necessary small school is not being created for the purpose of increasing revenues to be made available to the district under the school foundation program;
- (iii) At least one (1) of the following apply:
  - (A) There is no more cost effective way to provide adequate education services to students expected to be enrolled in the school, within or outside the district; or
  - (B) There exist extraordinary circumstances related to the safe and efficient delivery of educational services to students which make the establishment of a necessary small school the most reasonable alternative; or
  - (C) Establishment of the proposed school is to prevent students from spending excessive time in transportation to and from school.
- (g) A school is a necessary small school if it is qualified under subsection (f) of this section or if it meets the following qualifications:

\* \* \*

- (iii) If a high school, the ADM for the prior school year is five hundred ninety-nine (599) or less.

However, for purposes of making adjustments to the funding formula, WYO. STAT. § 21-13-318(a)(i) provides an “[a]lternative school’ means any school established by a school district for the purpose of offering separate educational programs to students with educational needs which the district finds are not appropriately met by programs offered by other schools in the district, but **excluding** charter schools established under W.S. 21-3-301 through 21-3-304. . . .” (emphasis added) As stated previously, the state board has the authority to waive the application of WYO. STAT. § 21-13-318(a)(i).

When WYO. STAT. §§ 21-3-314, 21-13-309, and 21-13-318 are read together, it can be concluded that a charter school may qualify for the small school adjustment if it meets the criteria set forth in WYO. STAT. § 21-13-318(f), and if it negotiates with the school district to receive the funding adjustment.

However, an alternative charter high school would not qualify for the small school adjustment unless a waiver from the state board is obtained.

## **QUESTION SEVEN**

If a non-unified district is allowed to establish a charter school, is the district still allowed to pay tuition for students attending out of district schools as allowed by W.S. 21-4-501?

### **SHORT ANSWER**

A charter high school is not a high school maintained in the school district. Under WYO. STAT. § 21-4-501(a) Fremont #38 would be required to provide tuition for students not attending the charter high school.

### **DISCUSSION**

WYO. STAT. § 21-4-501(a) states:

[a]ny district which does not **maintain** a high school shall pay tuition, in addition to transportation or maintenance, for any child resident therein who has successfully completed the course offered therein and desires to attend high school, at any public school within or subject to the approval of the state board of education, without the state, which the district board may designate in the best interest, welfare and convenience of the child. (emphasis added)

WYO. STAT. § 21-4-501(b) requires school districts which **maintain** a high school to accept, with the payment of tuition, students of school districts that do not **maintain** a high school, unless to do so would cause overcrowding or create a hardship on the receiving school district.

---

The Wyoming Legislature has provided at WYO. STAT. § 8-1-103 the following rules to be applied to the construction of Wyoming statutes:

(a) The construction of all statutes of this state shall be by the following rules, unless that construction is plainly contrary to the intent of the legislature:

(i) Words and phrases shall be taken in their ordinary and usual sense, but technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import;

\* \* \*

The Wyoming Supreme Court agrees that words and phrases used in a statute shall be taken in their ordinary and usual sense. *Belco Petroleum Corp. v. State Board of Equalization*, 587 P.2d 204, 209 (Wyo. 1978); *Johnson v. Safeway Stores, Inc.*, 568 P.2d 908 (Wyo. 1977). In interpreting statutes, it is presumed the legislature intended the ordinary meaning of the language. *Ward v. Board of Com'rs*, 36 Wyo. 460, 256 P. 1039 (1927). Wyoming law clearly creates a presumption that the words utilized in a statute are to be given their natural, ordinary and everyday meanings, unless the statutes provide to the contrary.

In WYO. STAT. § 21-4-501 the word **maintain** must be interpreted using the word in its most common form. To aid in interpreting whether a charter school is **maintained** by the school district in which it is located, one must look to the division of duties between the charter school and the school district.

WYO. STAT. § 21-3-301 states the purpose of charter schools is to “. . . provide opportunities for teachers, parents, pupils and community members to establish and maintain schools that operate independently from the existing school district structure . . .” WYO. STAT. § 21-3-305(a) further states “[a]n approved charter application shall serve as the basis for a contract between the charter school and the school district.”

WYO. STAT. § 21-3-304(h) holds a charter school responsible for its own operation, including the “. . . preparation of a budget, contracting for services and personnel matters.” WYO. STAT. § 21-3-304(d) also provides “[a] charter shall be administered and governed by a governing body in a manner agreed to by the charter school applicant and the school district.” Furthermore, WYO. STAT. § 21-3-307(xvi) requires the charter school applicant provide “[a] plan for the displacement of pupils, . . . who will not attend . . . the charter school.”

Based upon the division of duties set forth above, it is reasonable to conclude a charter school is an independent entity which contracts with the school district for the right to maintain a school within the district. The statutes do not provide the school district with the authority to manage the day-to-day operation and maintenance of a charter school, and therefore, a charter high school would not be considered a "high school maintained by a school district" as was intended by WYO. STAT. § 21-4-501.

### **CONCLUSION**

Fremont #38 is not allowed to offer a traditional high school program. Fremont #38 is also not allowed to establish a charter high school; however, it may be allowed to approve an application for a charter high school program if the state board grants a waiver allowing an elementary school district to provide a nine (9) through twelve (12) educational program. Fremont #38 may also choose to petition to reorganize or combine with another school district.

If Fremont #38 is allowed to move forward with the establishment of a charter high school, the Department of Education has a basis for establishing the ADM necessary for funding the charter high school. Also the charter high school may qualify for the small school adjustment if it negotiates the adjustment with Fremont #38 and if it meets the criteria set forth in the statutes.

However, if the charter high school is intended to be an alternative charter high school, it would not qualify for the small school adjustment per WYO. STAT. § 21-13-318. Although, the state board could grant a waiver which would allow an alternative charter high school to qualify for the small school adjustment.

Fremont #38 should be aware, however, that any charter high school established must be open to all students within the district. The charter high school would be prohibited from restricting enrollment to any one category of student.

Finally, if a charter high school is allowed to be established in Fremont #38, students not attending the charter high school must be provided an education in another district with Fremont #38 paying the required tuition.

If you have additional concerns or questions that are not addressed above, please do not hesitate to contact us.

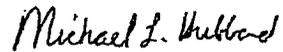
Dr. Annette Bohling  
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Thank you.

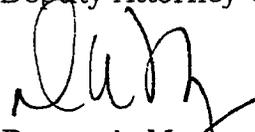
Sincerely,



Hoke MacMillan  
Attorney General

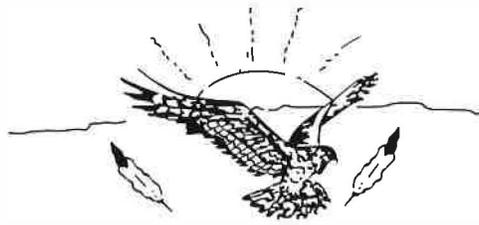


Michael L. Hubbard  
Deputy Attorney General



Donna A. Murray  
Senior Assistant Attorney General

HM:MH:DM



**Fremont County School District #38**

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**“Together we teach, together we learn, and together we succeed.”**

July 2, 2018

State Board of Education  
Wyoming Department of Education  
2300 Capital Avenue  
Hathaway Building, 2<sup>nd</sup> Floor  
Cheyenne, WY 82002-0050

**Re: Request for Waiver of State Statutes and  
Approval of Amendment #1 to the Charter and Contract of Four Winds Charter  
High School**

Dear Honored Members of the State Board of Education:

It has been determined by the Wyoming Attorney General that Fremont School District #38, a K-8 elementary school district cannot establish a 9-12 charter high school or 9-12 educational program within our district boundaries unless a waiver of certain state laws is obtained. That the purpose of our attendance today before the State Board of Education.

In representation of the parents and students of Fremont County School District No. 38, the District Board of Trustees though a request of the Board of Directors of Four Winds Charter High School, respectfully as the State Board of Education to waive specific parts of the following State Statutes on our behalf:

- WS 21-3-102. Elementary School Districts.
- WS 21-3-304 (g). Charter School; requirements; authority.
- WS 21-3-304 (m). Charter School; requirements; authority.

Waiver of specific parts of the above State Statutes will allow parents and students of Fremont County School District #38, an elementary school district, to establish a 9-12 Charter High School and to offer a 9-12 educational program that our community envisions.

Sincerely,

Dr. Vonda Wells

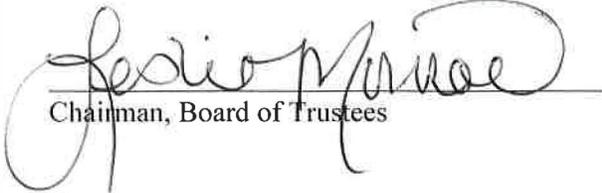
Superintendent



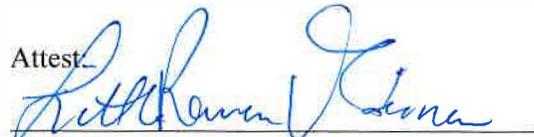
IN WITNESS WHEREOF, the Parties have agreed to add Amendment #1 to the Charter and Contract between the Arapaho Charter High School Board of Trustees and the Trustees of Fremont County School District #38 upon final approval of said Amendment by the State Board of Education on or after July 12, 2018.

No. 38

FREMONT COUNTY SCHOOL DISTRICT

  
Chairman, Board of Trustees

Attest:

  
Clerk, Board of Trustees

ARAPAHO CHARTER HIGH SCHOOL

  
Chairman, Board of Trustees

Attest:

  
Clerk, Board of Directors

CREATING  
OPPORTUNITIES  
FOR STUDENTS TO  
KEEP WYOMING  
STRONG

## Memorandum

To: State Board of Education  
From: Laurel Ballard, Supervisor, Student and  
Teacher Resources Team  
Date: July 12, 2018  
Subject: Chapter 29 Rules – Leader Evaluation

Item Type: Action

### Background:

During the June State Board of Education (SBE) meeting, the SBE voted to promulgate Chapter 29 Emergency Rules. The emergency rules were signed by Governor Mead on June 28, 2018 and filed with the Secretary of State's Office on June 29, 2018. As emergency rules, they are temporary and effective for 120 days. The same emergency rules may be refiled for an additional 120 days, but cannot be in place for more than 240 days. Regular rules must be promulgated to be in effect permanently.

Since no changes were requested for the emergency rules, the agency is ready to move forward with Chapter 29 Regular Rules promulgation. Once permission to proceed has been granted by the SBE and Governor's Office, there will be a 45-day public comment period. Any public comment received will be presented to the SBE for their review and the board will vote to approve the rules, followed by final review and approval by the Governor.

### Statutory Reference:

- W.S. 21-2-304(b)(xvi)
- Board Rules, Chapter 29: Certified Personnel Evaluation Systems

### Supporting Documents/Attachments:

- Chapter 29 Statement of Reasons
- Chapter 29 Rules - Clean Copy
- Chapter 29 Rules - Strike and Underline Copy

### Proposed Motions:

I move to promulgate Chapter 29 Rules as proposed.



#### JILLIAN BALOW

Superintendent of Public Instruction

#### DICKY SHANOR

Chief of Staff

#### BRENT BACON

Chief Academic Officer

#### MEGAN DEGENFELDER

Chief Policy Officer

#### DIANNE BAILEY

Chief Operations Officer



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**Chapter 29**  
**Evaluation Systems for District and School Leaders and Other Certified Personnel**

**STATEMENT OF REASONS**

Wyoming statute 21-2-304(b)(xvi) requires the State Board of Education (SBE) to promulgate rules for the implementation and administration of a comprehensive leader evaluation system, no later than July 1, 2018. Under this statute, “leaders” include superintendents, principals, and other district or school leaders. Chapter 29 rules encapsulate an evaluation system that is comprehensive, identifies professional standards, and allows districts to refine the system through an alternative option as approved by the SBE. Chapter 29 also provides districts the flexibility to develop an evaluation system for the superintendent that is distinct from the system used to evaluate other leaders in the district.

Because the statute resulted in significant changes to Chapter 29, a statewide stakeholder group of local school board trustees, district and school administrators, and representatives from the SBE, Wyoming Department of Education, and the Attorney General’s Office was convened to draft amended rules. Several iterations of the rules were presented to education organizations across the state, along with opportunities to comment and complete surveys about the proposed rule changes. The goal of the Chapter 29 committee was to create a fully comprehensive evaluation system with prescribed professional standards, while still allowing flexibility for local districts.

Districts have the option to use either a state-defined system or a locally-defined system. Both are based on professional standards, and while each option has different requirements, both options must be comprehensive and include the following components:

1. Multiple Sources of Evidence - Selected by the district to provide a more comprehensive and accurate assessment of performance.
2. Rating System - Performance level descriptors defined by the district and in compliance with W.S. 21-3-110(b).
3. Evaluation Cycle - Designed by the district for professional growth, to refine goals, and provide formative feedback.
4. Guidance Documents & Training - Determined by the district to better prepare evaluators and those being evaluated.
5. Policies & Procedures - Defined by the district to ensure system is implemented with fidelity.
6. Supports - Designed by the district to foster professional learning and growth in those being evaluated.

### **Option 1: State-Defined System**

The state-defined system is based on the seven standards listed below. If a district opts to use the state-defined system, they must evaluate leaders based on their choice of six of the seven standards, one of which must be Standard 1, *Clear and consistent focus on maximizing the learning and growth of all students*. Each selected standard must be assessed at least once every five years. The standards for the state-defined system include:

Standard 1\*- Clear and consistent focus on maximizing the learning and growth of all students

Standard 2- Instructional and assessment leadership

Standard 3 - Developing and supporting a learning organization

Standard 4 - Vision, mission, and culture

Standard 5 - Efficient and effective management

Standard 6 - Ethics and professionalism

Standard 7 - Communication and community engagement

*\*required*

Each standard is measured through associated benchmarks. For example, Standard 4, *Vision, mission and culture* contains benchmarks such as:

- A. Use relevant data and collaborate with members of the school, district, and community to create and endorse a vision for the achievement of every student.
- B. Create and maintain a positive climate with a trusting, safe environment that promotes effective student learning and adult practice.
- C. Articulate, advocate, and cultivate core values that define the school's and district's culture.
- D. Collaboratively evaluate the mission and vision, modifying them based on changing intentions, opportunities, demands, and positions of students, staff, and community.

Districts may choose which benchmarks to include, so long as the majority of the benchmarks are used. Districts using the state-defined model will be required to submit an annual assurance that they have implemented a leader evaluation system that meets these requirements.

### **Option 2: Locally-Designed System**

The locally-designed option, while still based on professional standards, allows districts to use any number of the standards defined above, create their own standards, or a combination of state-defined standards and locally-defined standards. The only required state-defined standard is Standard 1, *Clear and consistent focus on maximizing the learning and growth of all students*. Locally-designed systems must be approved by the SBE and assessed at least once every five years. Districts using a locally-designed system will be required to submit an annual assurance that they have implemented a leader evaluation system model that meets these requirements.

### **Leader Evaluation System Implementation Timeline**

On or before February 1, 2019, districts will notify the SBE whether a state-defined or locally-designed model will be used for their leader evaluation system. Locally-designed systems will receive conditional approval for the 2018-19 school year. For districts electing to use a locally-

designed system, the district must submit required materials to the SBE for review for full approval on or before June 1, 2019. Beginning with the 2019-20 school year, districts will provide annual assurances that they have adopted and implemented either the state-defined model or an approved locally-designed model on or before November 1.

## Chapter 29

### EVALUATION SYSTEMS FOR DISTRICT AND SCHOOL LEADERS AND OTHER CERTIFIED PERSONNEL

**Section 1. Authority.** These rules and regulations are promulgated pursuant to Wyoming Statutes 21-2-304(b)(xv) and (xvi).

#### **Section 2. Definitions.**

(a) “Best practice” means practices that have produced positive, documented results in a similar situation and could be replicated.

(b) “Certified personnel” means all personnel, including classroom teachers and others who are required by the State of Wyoming to hold licensure through the Wyoming Professional Teaching Standards Board or a Wyoming professional licensing agency, exclusive of extra-duty positions.

(c) “Certified personnel evaluation system” means a standard structure and set of procedures by which a school district initiates, designs, implements, and uses evaluations of its certified personnel for the purposes of professional growth and continued employment.

(d) “District leader” means a person employed as superintendent of schools by any district board of trustees or other district leader serving in a similar capacity, as determined by the local board of trustees.

(e) “Equitable” means dealing fairly and equally with all concerned.

(f) “Evaluation cycle” means the timelines under which the various components of an evaluation process occurs.

(g) “Evaluation system standards” means the standards identified or approved, as part of a proposed locally designed district and school leader evaluation system, by the State Board of Education that define the knowledge and skills expected of persons who will be evaluated.

(h) “Evaluator” means the person primarily responsible for administering an evaluation.

(i) “Formative feedback” means information communicated to a person being evaluated that is intended to modify thinking or behavior.

(j) “Locally designed district and school leader evaluation system” means a locally designed district and school leader evaluation system comprising the standards and comprehensive system components described in sections 3 and 4 of this rule, which must be evaluated and approved by the State Board of Education, prior to adoption by a board of trustees.

- (k) “Multiple sources of evidence” means using more than one method or source of data to determine a person’s level of performance in an area of practice or outcomes.
- (l) “Performance criteria” means the areas on which a person is evaluated.
- (m) “Performance level descriptor” means a rating used to summarize the knowledge and skills associated with each performance level used in a ratings system.
- (n) “Professional practice” means the knowledge and skills expected of persons being evaluated, as defined in standards and associated benchmarks.
- (o) “Ratings system” means a system of classification by which information is provided regarding the professional practice of persons being evaluated as measured against evaluation system standards.
- (p) “Reliable” means dependable; obtaining the same results with repeated use or application.
- (q) “Research-based” means basic or applied research that:
- (i) Has been published in a peer-reviewed journal or approved by a panel of experts;
  - (ii) Has been replicated by other researchers; and
  - (iii) Has a consensus in the research community that the study’s findings are supported by a critical mass of additional studies.
- (r) “School leader” means a school principal or other school leader serving in a similar capacity, as determined by the local board of trustees.
- (s) “Significantly amended” means a change to an evaluation system that replaces an existing system or materially changes any required component of an existing system.
- (t) “Stakeholder” means an individual who is or will be directly impacted by the evaluation system.
- (u) “State-defined district and school leader evaluation system” means a district and school leader evaluation system comprising the standards and comprehensive system components described in sections 3 and 4 of this rule.
- (v) “Student performance growth data” means data that shows outcomes for students, including student achievement test scores and other non-academic measures of student outcomes.

(w) “Summative evaluation” means a written summary of performance based on data collected during the evaluation cycle.

(x) “Summative rating” means the overall rating, as provided for in a ratings system, assigned to a person being evaluated at the conclusion of an evaluation cycle.

### **Section 3. District and School Leader Evaluation System Design.**

(a) Every board of trustees shall adopt policies and procedures for the administration of a district and school leader evaluation system designed and implemented in accordance with this chapter. Such policies shall define the purpose and goals of the system.

(b) A district and school leader evaluation system, hereinafter referred to as a leader evaluation system, shall be one of the following:

(i) A system based on all seven (7) of the Wyoming standards for district and school leaders or standard 1 and any five (5) of the remaining six (6) standards so long as a majority of the benchmarks of each such standard are represented, which, for purposes of this chapter, is referred to as a state-defined district and school leader evaluation system or a state-defined system; or

(ii) A system based on standards prescribed by the board of trustees, so long as standard 1 of the Wyoming standards for district and school leaders (prescribed in section 4) is included in the board’s standard, which, for purposes of this chapter, is referred to as a locally designed district and school leader evaluation system, a locally designed system, or an alternative leader evaluation system in accordance with W.S. 21-2-304(b)(xvi).

(c) Any leader evaluation system adopted by a board of trustees, whether a state-defined system or locally designed system, shall be a comprehensive system in that, in addition to being based on standards, as prescribed in paragraph (b) of this section, the system’s design incorporates the following comprehensive system components:

(i) **Multiple Sources of Evidence** - The leader evaluation system shall utilize multiple sources of evidence.

(A) Leader performance on each standard shall be evaluated using more than one source of evidence in order to provide a more comprehensive and accurate assessment.

(ii) **Evaluation Cycle** - The leader evaluation system shall be administered in accordance with an evaluation cycle which provides for, at a minimum:

(A) Each leader shall be evaluated at least annually; however, not every standard is required to be used for any leader’s evaluation in a given year, except that standard 1 shall be used with every evaluation and all of the standards adopted by the board of

trustees must be used for each leader's evaluations at least once during every five (5) year period;

(B) Each evaluation shall be carried out on a timeline established by the board of trustees, in consultation with the district superintendent, to ensure that evaluators and any person being evaluated have sufficient time to consider and complete all aspects of the evaluation cycle;

(C) The board of trustees shall evaluate any person employed as superintendent of schools in accordance with the district's evaluation policies and procedures;

(D) The district superintendent shall ensure that the evaluation of all other district leaders, principals, and other school leaders is carried out in accordance with the district's evaluation policies and procedures;

(E) Each evaluation shall be carried out in accordance with a process clearly defined by the district and which includes collaborative goal-setting, self-analysis, and information and data analysis to identify areas for professional growth; formative feedback; and a planning process during which appropriate growth opportunities and supports are identified; and

(F) Each evaluation shall conclude with a written summary of annual evaluation findings and recommendations for improvement.

(iii) **Ratings System** - The leader evaluation system shall include a ratings system designed so that there is a performance level descriptor for each evaluation system standard that is the focus of the evaluation and in a manner that enables compliance with W.S. 21-3-110(b).

(iv) **Training and Guidance Documents** - The leader evaluation system shall include training on the use of the system, as well as guidance documents and training materials to support implementation and administration.

(A) Every employee of the district who is an evaluator or a person being evaluated shall be trained on using the system and any related tools and receive all guidance documents; and

(B) Training and guidance documents shall be made available to all members of the board of trustees and other employees.

(v) **Quality Controls** - The leader evaluation system shall include quality controls to ensure that the system is implemented and administered with fidelity.

(A) Each district shall establish procedures for the collection and appropriate use of all data; and

(B) Each district shall establish a timeline and procedures for evaluating the district's implementation of the leader evaluation system which includes a review of training, guidance documents, and other tools.

(vi) **Supports** - The leader evaluation system shall include supports for persons being evaluated to foster professional learning and growth, and to aid in building capacity.

(A) Every district shall establish a timeline and procedures for supporting professional learning, growth, and improvement in response to the performance of each leader and in a manner that enables compliance with W.S. 21-3-110(b).

#### **Section 4. Wyoming Standards for District and School Leaders.**

(a) Subject to the exceptions provided for in this chapter, every board of trustees shall adopt the following standards and associated benchmarks for the annual evaluation of district and school leaders pursuant to W.S. 21-3-110(a)(xxx).

(i) **Standard 1** – Clear and consistent focus on maximizing the learning and growth of all students:

(A) In collaboration with others and in alignment with district strategic priorities, use appropriate data to establish rigorous, concrete goals in the context of student achievement and instructional programming.

(B) Ensure the alignment of the assessments to district identified prioritized standards used to track student growth and achievement over time.

(C) Use multiple data measures appropriately within the technical limitations to monitor students' progress toward learning objectives to improve instruction.

(D) Ensure a system of accountability for students' academic success and career readiness.

(E) Develop and maintain longitudinal data and communication systems to deliver actionable information for district, school, and classroom improvement.

(F) Lead the implementation of a high-quality student support and assessment system.

(G) Ensure high expectations for achievement, growth, and equity in opportunities for all students.

(H) Work with staff to evaluate and use data to improve student achievement.

(ii) **Standard 2** – Instructional and assessment leadership:

(A) Focus on student learning by leading the implementation of a rigorous, relevant, and prioritized curriculum and assessment system.

(B) Work collaboratively to implement a common instructional framework that aligns curriculum with teaching, assessment, and learning and guides teacher conversation, practice, observation, evaluation, and feedback.

(C) Recognize a full range of pedagogy and monitor the impact of instruction.

(D) Ensure that there is differentiation, personalization, intellectual stimulation, collaboration, authenticity, and recognition of student strengths in instructional practice.

(E) Promote the effective uses of technology to support teaching and learning.

(F) Ensure the use of formative assessment data to inform instruction.

(iii) **Standard 3** – Developing and supporting a learning organization:

(A) Effectively lead the implementation of a high-quality educator support and evaluation system that advances the professional growth of their staff.

(B) Have a solid understanding of adult learning and ensure that all adults have the knowledge, skills, and dispositions necessary to promote student success.

(C) Create and/or support collaborative learning organizations to foster improvements in teacher practices and student learning.

(D) Guide implementation of improvement initiatives and provide the time and support for these initiatives to achieve desired outcomes.

(E) Lead the evaluation of new and existing programs as part of a continuous improvement process.

(F) Cultivate the ability of teachers and other members of the community to become leaders by providing assistance and leadership opportunities.

(G) Facilitate high functioning groups of faculty and staff.

(iv) **Standard 4** – Vision, mission, and culture:

(A) Use relevant data and collaborate with members of the school, district, and community to create and endorse a vision for the achievement of every student.

(B) Articulate, advocate, and cultivate core values that define the school's and district's culture.

(C) Create and maintain a positive climate with a trusting, safe environment that promotes effective student learning and adult practice.

(D) Collaboratively evaluate the mission and vision, modifying them based on changing intentions, opportunities, demands, and positions of students, staff, and community.

(v) **Standard 5** – Efficient and effective management:

(A) Recruit, hire, support, develop, and retain effective teachers and other professional staff and form them into an effective team.

(B) Facilitate the adaptation and monitoring of operational systems and processes to ensure a high-performing organization that includes clear expectations, structures, rules, and procedures for effective and efficient operations focused on high-quality teaching and learning.

(C) Limit the number of initiatives and ensure that whatever programs and strategies are implemented in their school and district are supported by the best research available and are aligned to school and district plans.

(D) Use appropriate strategies to guide their organizations through change (e.g., first- and second-order change strategies).

(E) Support the learning of all students by appropriating and regulating monetary, human and material supplies, time, equipment, technology, and alliances with school and district goals.

(F) Ensure the expectation that students, staff, and the school and district operate within the guidelines of federal, state, and local laws, policies, regulations, and statutory requirements.

(vi) **Standard 6** – Ethics and professionalism:

(A) Lead with integrity.

(B) Establish a culture in which ethical behavior is expected and practiced by all faculty, staff, students, and volunteers.

(C) Contribute to district and state initiatives.

(D) Evaluate the potential ethical, legal, and precedent-setting consequences of decision-making.

(vii) **Standard 7** – Communication and community engagement:

(A) Advocate and effectively communicate with a range of stakeholders, from students and teachers to parents and members of the larger community, including media, to advance the organization’s vision and mission.

(B) Implement and maintain policies to establish working relationships with the community and media to garner support and build consensus for school and district goals.

(C) Use community engagement efforts to identify and share successes and to address challenges for the benefit of students.

(D) Are easily approached, available, and inviting to students, staff, and community.

(E) Are intentional about considering improvement ideas from outside the school system.

**Section 5. District and School Leader Evaluation System Implementation and Administration.**

(a) On or before February 1, 2019, the board of trustees shall notify the State Board of Education of its election to implement and administer either a state-defined district and school leader evaluation system or a locally designed district and school leader evaluation system for the evaluation of district and school leaders during the 2018-2019 school year as required by W.S. 21-3-110(a)(xxx).

(i) With such notice, a board of trustees that elects to adopt a state-defined system shall provide an assurance that district and school leader evaluations will be based on standards that meet the requirements of section 3(b)(i) of this chapter.

(ii) A board of trustees that elects to adopt a locally designed system shall receive conditional approval from the State Board prior to adoption by submitting to the Department, on behalf of the State Board, the following:

(A) The board’s leader evaluation system standards and associated benchmarks, developed in accordance with section 3(b)(ii) of this Chapter, which, upon approval shall be deemed performance standards identified or established by the State Board of Education pursuant to W.S. 21-2-304(b)(xvi);

(B) A description of the extent to which those standards are the same as or similar to the standards that are part of the state-defined system; and

(C) An assurance that the board will submit additional information on its leader evaluation system for full approval, as described in paragraph (b) of this section, by June 1, 2019.

(b) On or before June 1, 2019, a board that is implementing a locally designed system that has been conditionally approved by the State Board, shall submit the following for State Board review and full approval prior to administration during the 2019-2020 school year and subsequent school years:

(i) The purpose and goals of the evaluation system;

(ii) Evidence that the district's standards reflect best practice; and

(iii) Evidence of system quality as demonstrated by adherence with the comprehensive system component requirements of section 3(c) of this chapter, which may include leader evaluation system policies adopted by the board and procedures developed for administration of the system.

The State Board of Education will approve any locally designed system that it determines to be of sufficient quality on the basis of the strength of the evidence submitted. If the State Board finds the evidence submitted to be insufficient for approval, additional information may be requested for consideration.

(c) On or before November 1, 2019, and by the same date each year thereafter, the board of trustees shall provide the Department, on behalf of the State Board, with an assurance that the board has adopted and implemented, and is continuing to administer during the current school year, a leader evaluation system that is a state-defined system or an approved locally designed system and that meets all of the requirements for such a system as prescribed by section 3 of this chapter.

(d) Following any revision of the Wyoming district and school leader standards prescribed by section 4 of this chapter, the assurance required by paragraph (c) shall include an assurance that the district has modified its system as necessary to ensure continued alignment with any of the Wyoming district and school leader standards that are included in the board's leader evaluation system.

(e) Any board of trustees that elects to adopt a locally designed system after June 1, 2019, shall submit its system for State Board review and approval prior to adoption in accordance with the requirements established by paragraphs (a)(2)(A) and (B) and paragraph (b) of this section.

### **Section 6. Certified Personnel Evaluation System Design and Approval Criteria.**

The evaluation systems for each of the major certified job categories shall be designed to

measure the effectiveness with which certified personnel in those categories perform their roles. Criteria on which these positions are evaluated shall reflect the nature of these positions. The Department, on behalf of the State Board, shall review each evaluation system on the criteria identified below:

- (a) Appropriate stakeholder involvement in the development of the certified personnel evaluation system;
- (b) Clear performance criteria that are considered best practice and on which certified personnel are evaluated;
- (c) Strength as a tool for facilitating professional growth and continuous improvement;
- (d) Evidence the system is reliable and equitable;
- (e) Whether the district includes evaluation instruments and processes that support the ability to generate the required documentation to make employment decisions;
- (f) Effectiveness of evaluation procedures including how data will be collected to complete the summative evaluation. This may include, but is not limited to, analysis of observations of job performance, use of various types of data, and employee-produced artifacts;
- (g) Including student performance growth data relevant to the nature of each certified personnel's position and indicating how it is used by the certified personnel to improve teaching and learning; and
- (h) A description of the district's complete evaluation cycle that shall include frequency of evaluations for initial and continuing contract teachers and other certified personnel and may include cycles of clinical supervision, action research, intensive assistance, and any other cycles used by the district.

#### **Section 7. Submission of Certified Personnel Evaluation Systems.**

- (a) Each board of trustees shall submit a copy of its evaluation systems for certified personnel to the Department. Once filed with the Department, the evaluation system will stand unless it is changed or significantly amended, at which time the board of trustees shall resubmit the new or significantly amended system.
- (b) Each board of trustees shall include in its submission the following documentation:
  - (i) A list of members of the committee that was used to develop and adopt the certified personnel evaluation system. The list contains appropriate stakeholder representation;

(ii) A list of performance criteria on which the district evaluates certified personnel. The district shall define the criteria sufficiently so that an outside reader will clearly understand each criterion. The district shall provide evidence that each criterion is research-based or reflects best practice;

(iii) A description of how the evaluation process is linked to individual and collective professional growth. The description must also include how and when the system provides feedback to each certified personnel member and provide opportunities to identify areas for improvement and suggestions for how improvement can occur;

(iv) Evidence that evaluators are trained on the evaluation process and trained to view criteria similarly so that certified personnel across the district are evaluated with consistency;

(v) A description of how the evaluation system collects data used in making employment decisions. The evaluation instruments and types and amount of data to be collected must be sufficient to provide the required documentation;

(vi) A list that details the types of data collected and how it will be collected in order to make decisions about the summative evaluations;

(vii) Identification of the types of student performance growth data, specific to each certified personnel's position used in the evaluation process. The summative evaluations will identify the purpose of reviewing student performance growth data, such as identification of a professional development goal, modifying instructional practice, or identifying groups of students that need remediation or enrichment; and

(viii) Differentiation in evaluations between initial-contract and continuing-contract teachers; the frequency of observations during evaluation cycles; any type of assistance or remediation that is provided; and any other requirements of the evaluation cycles used by the district, such as action research or portfolios.

**Section 8. Certified Personnel Evaluation System Approval.** The State Board of Education shall approve or deny each district's certified personnel evaluation system based upon the previous stated criteria. Approval shall be at one of the following levels and any determination other than full approval shall be accompanied with feedback describing the conditions or deficiencies that the district shall address before reconsideration by the State Board of Education:

- (a) Full approval;
- (b) Conditional approval with conditions noted for remediation;
- (c) Disapproval with deficiencies noted; and
- (d) Non Compliance.

**Section 9. Technical Assistance.** Technical assistance will be made available to school districts by the Department and other partners to help them develop and implement evaluation systems that comply with the requirements of this chapter and to support districts with the ongoing evaluation system improvement.

## Chapter 29

### CERTIFIED PERSONNEL EVALUATION SYSTEMS FOR DISTRICT AND SCHOOL LEADERS AND OTHER CERTIFIED PERSONNEL

**Section 1. Authority.** These rules and regulations are promulgated pursuant to ~~the Wyoming Education Code of 1969 as amended, W.S. Wyoming Statutes 21-2-304(b)(xv) and (xvi).~~

**Section 2. Applicability.** These rules and regulations pertain to the development, assessment and approval of Certified Personnel Evaluation Systems.

**Section 3. Promulgation, Amendment, or Repeal of Rules.** Any amendments to these rules shall become effective as provided by the Wyoming Administrative Procedure Act (W.S. 16 3 101 through W.S. 16 3 115) and when signed by the Governor and filed with the Secretary of State's Office.

#### **Section 4-2. Definitions.**

(a) ~~“Best Practice practice”~~ —means practices that have produced ~~outstanding~~ positive, documented results in a similar situation and could be replicated.

(b) ~~“Certified Personnel personnel”~~ —means all personnel, including classroom teachers and others who are required by the State of Wyoming to hold licensure through the Wyoming Professional Teaching Standards Board or a Wyoming professional licensing agency, ~~(counselors, media specialists, principals, etc., exclusive of extra-duty positions).~~

~~(c) — Department — means the Wyoming Department of Education (WDE).~~

~~(c)~~ (f) ~~“Certified personnel Evaluation System evaluation system”~~ —means a standard structure and set of procedures by which a school district initiates, designs, implements, and uses evaluations of its ~~Certified Personnel certified personnel~~ for the purposes of professional growth and continued employment.

(d) ~~“District leader”~~ means a person employed as superintendent of schools by any district board of trustees or other district leader serving in a similar capacity, as determined by the local board of trustees.

~~(e)~~ (d) ~~“Equitable”~~ —means dealing fairly and equally with all concerned.

(f) ~~(e) “Evaluation Cycle cycle”~~ —means the timelines ~~and timeframes~~ under which the various components of the an evaluation process occurs. ~~Also included in the cycle will be the different activities and responsibilities that may occur in various stages of the Certified Personnel's career (such as action research one year, intensive assistance, clinical supervision cycles, etc.).~~

(g) “Evaluation system standards” means the standards identified or approved, as part of a proposed locally designed district and school leader evaluation system, by the State Board of Education that define the knowledge and skills expected of persons who will be evaluated.

(h) “Evaluator” means the person primarily responsible for administering an evaluation.

(i) “Formative feedback” means information communicated to a person being evaluated that is intended to modify thinking or behavior.

(j) “Locally designed district and school leader evaluation system” means a locally designed district and school leader evaluation system comprising the standards and comprehensive system components described in sections 3 and 4 of this rule, which must be evaluated and approved by the State Board of Education, prior to adoption by a board of trustees.

(k) “Multiple sources of evidence” means using more than one method or source of data to determine a person’s level of performance in an area of practice or outcomes.

(l) ~~(g) “Performance Criteria-criteria” means the areas on which Certified Personnel are to be~~ a person is evaluated.

(m) “Performance level descriptor” means a rating used to summarize the knowledge and skills associated with each performance level used in a ratings system.

(n) “Professional practice” means the knowledge and skills expected of persons being evaluated, as defined in standards and associated benchmarks.

(o) “Ratings system” means a system of classification by which information is provided regarding the professional practice of persons being evaluated as measured against evaluation system standards.

(p) ~~(h) “Reliable” —means dependable; obtaining the same results in successive trials with repeated use or application.~~

(q) ~~(i) “Research-Based” —means basic or applied research that:~~

(i) Has been published in a peer-reviewed journal or approved by a panel of experts;

(ii) Has been replicated by other researchers; and

(iii) Has a consensus in the research community that the study’s findings are supported by a critical mass of additional studies.

(r) “School leader” means a school principal or other school leader serving in a similar capacity, as determined by the local board of trustees.

(s) ~~(j)~~ “Significantly Amended-amended” —means a change to an Evaluation System evaluation system that replaces in whole or in part an existing system or plan or materially changes any required component of an existing system.

(t) ~~(k)~~ “Stakeholder” —means an individual who is or will be directly impacted by the Evaluation System evaluation system.

(u) “State-defined district and school leader evaluation system” means a district and school leader evaluation system comprising the standards and comprehensive system components described in sections 3 and 4 of this rule.

(v) ~~(l)~~ “Student Performance-Growth Data-performance growth data” means data which that shows outcomes for students. This data may be, including student achievement test scores and other non-academic measures of student outcomes.

(w) ~~(m)~~ “Summative Evaluation-evaluation” —means the a written summary of performance based on data collected during the Evaluation Cycle-evaluation cycle.

(x) “Summative rating” means the overall rating, as provided for in a ratings system, assigned to a person being evaluated at the conclusion of an evaluation cycle.

### **Section 3. District and School Leader Evaluation System Design.**

(a) Every board of trustees shall adopt policies and procedures for the administration of a district and school leader evaluation system designed and implemented in accordance with this chapter. Such policies shall define the purpose and goals of the system.

(b) A district and school leader evaluation system, hereinafter referred to as a leader evaluation system, shall be one of the following:

(i) A system based on all seven (7) of the Wyoming standards for district and school leaders or standard 1 and any five (5) of the remaining six (6) standards so long as a majority of the benchmarks of each such standard are represented, which, for purposes of this chapter, is referred to as a state-defined district and school leader evaluation system or a state-defined system; or

(ii) A system based on standards prescribed by the board of trustees, so long as standard 1 of the Wyoming standards for district and school leaders (prescribed in section 4) is included in the board’s standard, which, for purposes of this chapter, is referred to as a locally designed district and school leader evaluation system, a locally designed system, or an alternative leader evaluation system in accordance with W.S. 21-2-304(b)(xvi).

(c) Any leader evaluation system adopted by a board of trustees, whether a state-defined system or locally designed system, shall be a comprehensive system in that, in addition to being based on standards, as prescribed in paragraph (b) of this section, the system's design incorporates the following comprehensive system components:

(i) **Multiple Sources of Evidence** - The leader evaluation system shall utilize multiple sources of evidence.

(A) Leader performance on each standard shall be evaluated using more than one source of evidence in order to provide a more comprehensive and accurate assessment.

(ii) **Evaluation Cycle** - The leader evaluation system shall be administered in accordance with an evaluation cycle which provides for, at a minimum:

(A) Each leader shall be evaluated at least annually; however, not every standard is required to be used for any leader's evaluation in a given year, except that standard 1 shall be used with every evaluation and all of the standards adopted by the board of trustees must be used for each leader's evaluations at least once during every five (5) year period;

(B) Each evaluation shall be carried out on a timeline established by the board of trustees, in consultation with the district superintendent, to ensure that evaluators and any person being evaluated have sufficient time to consider and complete all aspects of the evaluation cycle;

(C) The board of trustees shall evaluate any person employed as superintendent of schools in accordance with the district's evaluation policies and procedures;

(D) The district superintendent shall ensure that the evaluation of all other district leaders, principals, and other school leaders is carried out in accordance with the district's evaluation policies and procedures;

(E) Each evaluation shall be carried out in accordance with a process clearly defined by the district and which includes collaborative goal-setting, self-analysis, and information and data analysis to identify areas for professional growth; formative feedback; and a planning process during which appropriate growth opportunities and supports are identified; and

(F) Each evaluation shall conclude with a written summary of annual evaluation findings and recommendations for improvement.

(iii) **Ratings System** - The leader evaluation system shall include a ratings system designed so that there is a performance level descriptor for each evaluation system standard that is the focus of the evaluation and in a manner that enables compliance with W.S. 21-3-110(b).

(iv) **Training and Guidance Documents** - The leader evaluation system shall include training on the use of the system, as well as guidance documents and training materials to support implementation and administration.

(A) Every employee of the district who is an evaluator or a person being evaluated shall be trained on using the system and any related tools and receive all guidance documents; and

(B) Training and guidance documents shall be made available to all members of the board of trustees and other employees.

(v) **Quality Controls** - The leader evaluation system shall include quality controls to ensure that the system is implemented and administered with fidelity.

(A) Each district shall establish procedures for the collection and appropriate use of all data; and

(B) Each district shall establish a timeline and procedures for evaluating the district's implementation of the leader evaluation system which includes a review of training, guidance documents, and other tools.

(vi) **Supports** - The leader evaluation system shall include supports for persons being evaluated to foster professional learning and growth, and to aid in building capacity.

(A) Every district shall establish a timeline and procedures for supporting professional learning, growth, and improvement in response to the performance of each leader and in a manner that enables compliance with W.S. 21-3-110(b).

#### **Section 4. Wyoming Standards for District and School Leaders.**

(a) Subject to the exceptions provided for in this chapter, every board of trustees shall adopt the following standards and associated benchmarks for the annual evaluation of district and school leaders pursuant to W.S. 21-3-110(a)(xxx).

(i) **Standard 1** – Clear and consistent focus on maximizing the learning and growth of all students:

(A) In collaboration with others and in alignment with district strategic priorities, use appropriate data to establish rigorous, concrete goals in the context of student achievement and instructional programming.

(B) Ensure the alignment of the assessments to district identified prioritized standards used to track student growth and achievement over time.

(C) Use multiple data measures appropriately within the technical limitations to monitor students' progress toward learning objectives to improve instruction.

(D) Ensure a system of accountability for students' academic success and career readiness.

(E) Develop and maintain longitudinal data and communication systems to deliver actionable information for district, school, and classroom improvement.

(F) Lead the implementation of a high-quality student support and assessment system.

(G) Ensure high expectations for achievement, growth, and equity in opportunities for all students.

(H) Work with staff to evaluate and use data to improve student achievement.

(ii) **Standard 2 – Instructional and assessment leadership:**

(A) Focus on student learning by leading the implementation of a rigorous, relevant, and prioritized curriculum and assessment system.

(B) Work collaboratively to implement a common instructional framework that aligns curriculum with teaching, assessment, and learning and guides teacher conversation, practice, observation, evaluation, and feedback.

(C) Recognize a full range of pedagogy and monitor the impact of instruction.

(D) Ensure that there is differentiation, personalization, intellectual stimulation, collaboration, authenticity, and recognition of student strengths in instructional practice.

(E) Promote the effective uses of technology to support teaching and learning.

(F) Ensure the use of formative assessment data to inform instruction.

(iii) **Standard 3 – Developing and supporting a learning organization:**

(A) Effectively lead the implementation of a high-quality educator support and evaluation system that advances the professional growth of their staff.

(B) Have a solid understanding of adult learning and ensure that all adults have the knowledge, skills, and dispositions necessary to promote student success.

(C) Create and/or support collaborative learning organizations to foster improvements in teacher practices and student learning.

(D) Guide implementation of improvement initiatives and provide the time and support for these initiatives to achieve desired outcomes.

(E) Lead the evaluation of new and existing programs as part of a continuous improvement process.

(F) Cultivate the ability of teachers and other members of the community to become leaders by providing assistance and leadership opportunities.

(G) Facilitate high functioning groups of faculty and staff.

(iv) **Standard 4 – Vision, mission, and culture:**

(A) Use relevant data and collaborate with members of the school, district, and community to create and endorse a vision for the achievement of every student.

(B) Articulate, advocate, and cultivate core values that define the school's and district's culture.

(C) Create and maintain a positive climate with a trusting, safe environment that promotes effective student learning and adult practice.

(D) Collaboratively evaluate the mission and vision, modifying them based on changing intentions, opportunities, demands, and positions of students, staff, and community.

(v) **Standard 5 – Efficient and effective management:**

(A) Recruit, hire, support, develop, and retain effective teachers and other professional staff and form them into an effective team.

(B) Facilitate the adaptation and monitoring of operational systems and processes to ensure a high-performing organization that includes clear expectations, structures, rules, and procedures for effective and efficient operations focused on high-quality teaching and learning.

(C) Limit the number of initiatives and ensure that whatever programs and strategies are implemented in their school and district are supported by the best research available and are aligned to school and district plans.

(D) Use appropriate strategies to guide their organizations through change (e.g., first- and second-order change strategies).

(E) Support the learning of all students by appropriating and regulating monetary, human and material supplies, time, equipment, technology, and alliances with school and district goals.

(F) Ensure the expectation that students, staff, and the school and district operate within the guidelines of federal, state, and local laws, policies, regulations, and statutory requirements.

(vi) **Standard 6 – Ethics and professionalism:**

(A) Lead with integrity.

(B) Establish a culture in which ethical behavior is expected and practiced by all faculty, staff, students, and volunteers.

(C) Contribute to district and state initiatives.

(D) Evaluate the potential ethical, legal, and precedent-setting consequences of decision-making.

(vii) **Standard 7 – Communication and community engagement:**

(A) Advocate and effectively communicate with a range of stakeholders, from students and teachers to parents and members of the larger community, including media, to advance the organization’s vision and mission.

(B) Implement and maintain policies to establish working relationships with the community and media to garner support and build consensus for school and district goals.

(C) Use community engagement efforts to identify and share successes and to address challenges for the benefit of students.

(D) Are easily approached, available, and inviting to students, staff, and community.

(E) Are intentional about considering improvement ideas from outside the school system.

**Section 5. District and School Leader Evaluation System Implementation and Administration.**

(a) On or before February 1, 2019, the board of trustees shall notify the State Board of Education of its election to implement and administer either a state-defined district and school leader evaluation system or a locally designed district and school leader evaluation system for

the evaluation of district and school leaders during the 2018-2019 school year as required by W.S. 21-3-110(a)(xxx).

(i) With such notice, a board of trustees that elects to adopt a state-defined system shall provide an assurance that district and school leader evaluations will be based on standards that meet the requirements of section 3(b)(i) of this chapter.

(ii) A board of trustees that elects to adopt a locally designed system shall receive conditional approval from the State Board prior to adoption by submitting to the Department, on behalf of the State Board, the following:

(A) The board's leader evaluation system standards and associated benchmarks, developed in accordance with section 3(b)(ii) of this Chapter, which, upon approval shall be deemed performance standards identified or established by the State Board of Education pursuant to W.S. 21-2-304(b)(xvi);

(B) A description of the extent to which those standards are the same as or similar to the standards that are part of the state-defined system; and

(C) An assurance that the board will submit additional information on its leader evaluation system for full approval, as described in paragraph (b) of this section, by June 1, 2019.

(b) On or before June 1, 2019, a board that is implementing a locally designed system that has been conditionally approved by the State Board, shall submit the following for State Board review and full approval prior to administration during the 2019-2020 school year and subsequent school years:

(i) The purpose and goals of the evaluation system;

(ii) Evidence that the district's standards reflect best practice; and

(iii) Evidence of system quality as demonstrated by adherence with the comprehensive system component requirements of section 3(c) of this chapter, which may include leader evaluation system policies adopted by the board and procedures developed for administration of the system.

The State Board of Education will approve any locally designed system that it determines to be of sufficient quality on the basis of the strength of the evidence submitted. If the State Board finds the evidence submitted to be insufficient for approval, additional information may be requested for consideration.

(c) On or before November 1, 2019, and by the same date each year thereafter, the board of trustees shall provide the Department, on behalf of the State Board, with an assurance that the board has adopted and implemented, and is continuing to administer during the current school year, a leader evaluation system that is a state-defined system or an approved locally

designed system and that meets all of the requirements for such a system as prescribed by section 3 of this chapter.

(d) Following any revision of the Wyoming district and school leader standards prescribed by section 4 of this chapter, the assurance required by paragraph (c) shall include an assurance that the district has modified its system as necessary to ensure continued alignment with any of the Wyoming district and school leader standards that are included in the board's leader evaluation system.

(e) Any board of trustees that elects to adopt a locally designed system after June 1, 2019, shall submit its system for State Board review and approval prior to adoption in accordance with the requirements established by paragraphs (a)(2)(A) and (B) and paragraph (b) of this section.

### **Section 5-6. Certified Personnel Evaluation System Design and Approval Criteria.**

The ~~Evaluation Systems~~ evaluation systems for each of the major certified job categories shall be designed to measure the effectiveness with which ~~Certified Personnel~~ certified personnel in those categories perform their roles. Criteria on which these positions are evaluated shall be reflective of the nature of these positions. The Department, on behalf of the State Board, shall review each ~~Evaluation System~~ evaluation system on the criteria identified below:

(a) Appropriate stakeholder involvement in the development of the certified personnel evaluation system ~~Was developed and/or adopted with the involvement of stakeholders;~~

(b) Clear performance criteria that are considered best practice and Defines the Performance Criteria ~~on which Certified Personnel certified personnel are evaluated and that the criteria are Research Based and/or considered Best Practice;~~

(c) Strength as a tool for facilitating Facilitates professional growth and continuous improvement;

(d) ~~Is Reliable and Equitable~~ Evidence the system is reliable and equitable;

(e) ~~Includes Whether the district includes~~ evaluation instruments and processes that support the ability to generate the required documentation to make employment decisions;

(f) ~~Provides a description~~ Effectiveness of evaluation procedures including how data will be collected to complete the ~~Summative Evaluation~~ summative evaluation. This may include, but is not limited to, analysis of observations of job performance, use of various types of data, and ~~employee-produced artifacts, etc.;~~

(g) ~~Includes Student Performance Growth Data~~ Including student performance growth data; relevant to the nature of each ~~Certified Personnel's~~ certified personnel's position ~~which is a measure of a significant function of the position, and indicates~~ indicating how it is used by the ~~Certified Personnel~~ certified personnel to improve teaching and/or learning; and

(h) ~~Provides a~~ A description of the district's complete ~~Evaluation Cycle, which evaluation cycle that shall~~ includes frequency of evaluations for initial and continuing contract teachers and other ~~Certified Personnel-certified personnel~~ and may include cycles of clinical supervision, action research, intensive assistance, ~~etc~~ and any other cycles used by the district.

### **Section 6-7. Submission of Certified Personnel Evaluation Systems.**

(a) ~~Each school district within the state board of trustees shall submit a copy of its Evaluation Systems-evaluation systems for all Certified Personnel-certified personnel to the Department. Once established and filed with the Department, the Evaluation System-evaluation system will stand unless it is changed or Significantly Amended-significantly amended, by the district at which time the board of trustees shall resubmit the new system or Significantly Amended-significantly amended system must be resubmitted.~~

(b) ~~Each district-board of trustees shall include in its submission the following documentation, corresponding to each criteria described in Section 5:~~

(i) ~~(a)-~~ (a) A list of members of the committee that was used to develop and/or adopt the certified personnel evaluation system-Evaluation System. The list contains appropriate stakeholder representation-of Stakeholders;

(ii) ~~(b)-~~ (b) A list of Performance Criteria-performance criteria on which the district evaluates certified personnel ~~Certified Personnel-are evaluated~~. The district shall define the criteria are defined sufficiently so that an outside reader will clearly understand each criterion. The district shall provide Evidence-evidence is provided that each criterion is Research Based-research-based or reflects reflective-of Best Practice-best practice;

(iii) ~~(c)-~~ (c) A description of how the evaluation process is linked to individual and collective professional growth. The description must also include how and when the system provides feedback to each ~~Certified Personnel-certified personnel~~ member and provides opportunities to identify area(s) for improvement and suggestions for how improvement can occur;

(iv) ~~(d)-~~ (d) Evidence that evaluators are trained on the evaluation process and trained to view criteria similarly so that ~~Certified Personnel-certified personnel~~ across the district are evaluated with consistency;

(v) ~~(e)-~~ (e) A description of how the evaluation system-Evaluation System provides for collection of collects data critical-for used in making employment decisions, ~~such as retention or termination~~. The evaluation instruments and types and amount of data to be collected must be sufficient to provide the required documentation;

(vi) ~~(f)-~~ (f) A list that details the types of data collected and how it will be collected in order to make decisions about the ~~Summative Evaluations-summative evaluations~~;

(vii) ~~(g)~~ Identification of the types of ~~Student Performance Growth Data~~ student performance growth data, specific to each ~~Certified Personnel's~~ certified personnel's position, ~~that is used in the evaluation process.~~ The ~~Summative Evaluations~~ summative evaluations will identify the ~~outcome purpose~~ purpose of reviewing ~~Student Performance Growth Data~~ student performance growth data, such as identification of a professional development goal, ~~modification of~~ modifying instructional practice, or ~~identification of~~ identifying groups of students that need remediation or enrichment; and

(viii) ~~(h)~~ The details of the ~~Evaluation System~~ include the ~~d~~ Differentiation in evaluations between initial-contract and continuing-contract teachers; the frequency of observations during ~~Evaluation Cycles~~ evaluation cycles; any type of assistance or remediation that is provided; and any other requirements of the ~~Evaluation Cycles~~ evaluation cycles used by the district, such as action research or portfolios.

**Section 7-8. Certified Personnel Evaluation System Approval Criteria.** ~~The department~~ State Board of Education shall ~~approve or deny~~ determine the approval of the ~~each~~ district's certified personnel ~~Evaluation System~~ evaluation system based upon the previous stated criteria. Approval shall be at ~~one of the following levels~~ and ~~any determination other than full approval shall be accompanied with feedback describing the conditions or deficiencies that the district shall address before reconsideration by the State Board of Education:~~

- (a) Full approval;
- (b) Conditional approval with conditions noted for remediation;
- (c) Disapproval with deficiencies noted; and
- (d) Non Compliance.

**Section 8-9. Technical Assistance.** ~~It is recognized that some districts may already have systems which are fully compliant. These may be submitted to the Department for assessment and consideration.~~ Technical assistance will be made available to school districts by the Department ~~and other partners~~ to help them develop ~~and implement~~ Evaluation Systems evaluation systems that comply with the requirements of this chapter ~~and to support districts with the ongoing evaluation system improvement.~~

CREATING  
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STRONG

## Memorandum

To: State Board of Education  
From: Megan Degenfelder, Chief Policy Officer  
Dianne Frazer, Accreditation Consultant  
Date: July 12, 2018  
Subject: 2018 Accreditation Recommendations

Item Type: Action

### Background:

The State Board of Education (SBE) approves the accreditation status of every Wyoming school district and institutional school per statute.

The WDE Accreditation Section manages the accreditation process for **districts** each year by conducting a staffing review assuring appropriately assigned staff, reviewing School Improvement Plans and Assurances, communicating with all agency divisions regarding systems reviews, and overseeing external site visits. The following districts participated in an on-site accreditation visit during SY 2017-18:

- Campbell CSD #1
- Crook CSD #1
- Johnson CSD #1
- Sheridan CSD #1
- Sheridan CSD #2
- Sheridan CSD #3
- Weston CSD #1
- Weston CSD #7

Accreditation recommendations are developed from data collected through this process and discussed with WDE Leadership.

The WDE Accreditation Section also manages the accreditation process for **institutional schools** each year through accreditation reviews and follow-up provided by contractor AdvancED. Assurances are also collected and School Improvement Plans reviewed. Recommendations are based on the data collected and accreditation status and recommendations made by



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Superintendent of Public Instruction

### DICKY SHANOR

Chief of Staff

### BRENT BACON

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AdvancED and discussed with WDE Leadership.

There are currently five (5) levels of accreditation are designated in Chapter 6 of State Board Rules. They are: Full Accreditation; Accreditation with Follow-up providing one year to make needed improvements; Accreditation with Deficiencies providing an additional year for improvements failed to be completed; Conditional Accreditation providing more than a year to make improvements; and Non-Accreditation with possible penalties.

Based on data collected during the accreditation process in the 2017-2018 school year, all Wyoming public school districts and institutional schools are recommended for *Full Accreditation*.

**Statutory Reference:**

- W.S.21-2-304(a)(ii)
- Board Rules, Chapter 6

**Supporting Documents/Attachments:**

- 2018 Accreditation Recommendations Power Point
- 2017-18 District Accreditation: Two-Year Comparison
- 2017-18 Institutional Schools Accreditation: Two-Year Comparison

**Proposed Motions:**

1. I move that the following Wyoming school districts be granted *Full Accreditation*:

- |                   |                      |                     |
|-------------------|----------------------|---------------------|
| • Albany CSD #1   | • Fremont CSD #24    | • Platte CSD #2     |
| • Big Horn CSD #1 | • Fremont CSD #25    | • Sheridan CSD #1   |
| • Big Horn CSD #2 | • Fremont CSD #38    | • Sheridan CSD #2   |
| • Big Horn CSD #3 | • Goshen CSD #1      | • Sheridan CSD #3   |
| • Big Horn CSD #4 | • Hot Springs CSD #1 | • Sublette CSD #1   |
| • Campbell CSD #1 | • Johnson CSD #1     | • Sublette CSD #9   |
| • Carbon CSD #1   | • Laramie CSD #1     | • Sweetwater CSD #1 |
| • Carbon CSD #2   | • Laramie CSD #2     | • Sweetwater CSD #2 |
| • Converse CSD #1 | • Lincoln CSD #1     | • Teton CSD #1      |
| • Converse CSD #2 | • Lincoln CSD #2     | • Uinta CSD #1      |
| • Crook CSD #1    | • Natrona CSD #1     | • Uinta CSD #4      |
| • Fremont CSD #1  | • Niobrara CSD #1    | • Uinta CSD #6      |
| • Fremont CSD #2  | • Park CSD #1        | • Washakie CSD #1   |
| • Fremont CSD #6  | • Park CSD #6        | • Washakie CSD #2   |
| • Fremont CSD #14 | • Park CSD #16       | • Weston CSD #1     |
| • Fremont CSD #21 | • Platte CSD #1      | • Weston CSD #7     |

2. I move that the following Wyoming institutional schools be granted *Full Accreditation*:

- C Bar V Ranch
- Cathedral Home
- Fremont County BOCES
- NE BOCES, Powder River Basin
- Northwest WY BOCES, Big Horn Basin
- Normative Services
- Red Top Meadows
- St. Joseph's Children's Home
- Wyoming Behavior Institute
- Wyoming Boys School
- Wyoming Girls School
- Youth Emergency Services, Inc. (YES House)
- St. Stephen's Indian School

# 2018 Accreditation Recommendations to SBE

**The Wyoming State Board of Education  
approves the accreditation status of every  
Wyoming school district and every  
Wyoming institutional school.**

# Current Process

- Staffing Review
- School Improvement Plan & Assurances
- External Reviews
- Systems Review
- Recommendations discussed with WDE Leadership

# Current Process

- **Staffing Review**
  - Personnel paid only when certification and assignment match
  - Accreditation can be lowered for Misassignments
  - Improvement description and repayment required
- **School Improvement Plan & Assurances**
  - Review of calendars
  - Assurances check
  - Assurances submitted annually
  - Improvement plans submitted annually for partially and not meeting schools

# Current Process

- External Reviews – AdvancEd
- Systems Review – WDE Divisions
- Recommendations discussed with Leadership

# Recommendations

- **Districts**
  - Based on External Reviews
  - Under Review from past year – all Accredited
- **Institutional Schools**
  - All Accredited

# Misassignments

## 13 districts found with misassignments

- Albany #1
  - One teacher
  - Recommend warning due to extenuating circumstances
- Carbon #1
  - One teacher
  - Recommend warning as no misassignments in 5 years
- Converse #1
  - Two coaches
  - Recommend warning as no misassignments in 11 years

# Misassignments

## Continued:

- Fremont #1
  - Two teachers
  - Recommend warning as no misassignments in 11 years
- Fremont #14
  - One teacher
  - Recommend warning as no misassignments in 11 years
- Fremont #25
  - Two teachers
  - Recommend warning as no misassignments in 7 years

# Misassignments

## Continued:

- Fremont #38
  - Two teachers
  - Recommend warning as no misassignments in 8 years
- Hot Springs #1
  - Three teachers
  - Recommend warning as no misassignments in 11 years
- Platte #1
  - One teacher
  - Recommend warning as no misassignments in 11 years

# Misassignments

## Continued:

- Uinta #6
  - One teacher
  - Recommend warning as no misassignments in 7 years
- Washakie #2
  - One coach
  - Recommend warning as no misassignments in 11 years

# Misassignments

## Continued:

- Weston #1
  - One coach
  - Recommend warning as no misassignments in 11 years
- Weston #7
  - One teacher
  - Recommend warning as no misassignments in 8 years

# Assurances

- All assurances have been checked and verified through data reports submitted by districts.

# Systems Issues

- Individual Learning
  - Sweetwater #1 has had SPED concerns around Least Restrictive Environment and has had complaints
  - Recommend Full Accreditation for 2018-19 with a warning letter and TA
- All other divisions report no significant systems issues

# Questions?

Dianne Frazer, Accreditation Consultant

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307-777-8676

# 2017-2018 WYOMING DISTRICT ACCREDITATION RECOMMENDATIONS

## *TWO-YEAR COMPARISON*

<b>District</b>	<b>Accreditation Status <i>2017-18 Recommendation</i></b>	<b>Accreditation Status <i>2016-17 with Reason</i></b>
Albany #1	Full Accreditation	Accreditation with Follow-up
Big Horn #1	Full Accreditation	Full Accreditation
Big Horn #2	Full Accreditation	Full Accreditation
Big Horn #3	Full Accreditation	Full Accreditation
Big Horn #4	Full Accreditation	Full Accreditation
Campbell #1	Full Accreditation	Full Accreditation
Carbon #1	Full Accreditation	Full Accreditation
Carbon #2	Full Accreditation	Full Accreditation
Converse #1	Full Accreditation	Full Accreditation
Converse #2	Full Accreditation	Full Accreditation
Crook #1	Full Accreditation	Full Accreditation
Fremont #1	Full Accreditation	Full Accreditation
Fremont #2	Full Accreditation	Full Accreditation
Fremont #6	Full Accreditation	Full Accreditation
Fremont #14	Full Accreditation	Full Accreditation
Fremont #21	Full Accreditation	Full Accreditation
Fremont #24	Full Accreditation	Full Accreditation
Fremont #25	Full Accreditation	Full Accreditation

# 2017-2018 WYOMING DISTRICT ACCREDITATION RECOMMENDATIONS

## *TWO-YEAR COMPARISON*

District	Accreditation Status <i>2017-18 Recommendation</i>	Accreditation Status <i>2016-17 with Reason</i>
Fremont #38	Full Accreditation	Full Accreditation
Goshen #1	Full Accreditation	Full Accreditation
Hot Springs #1	Full Accreditation	Full Accreditation
Johnson #1	Full Accreditation	Full Accreditation
Laramie #1	Full Accreditation	Full Accreditation
Laramie #2	Full Accreditation	Full Accreditation
Lincoln #1	Full Accreditation	Full Accreditation
Lincoln #2	Full Accreditation	Full Accreditation
Natrona #1	Full Accreditation	Full Accreditation
Niobrara #1	Full Accreditation	Full Accreditation
Park #1	Full Accreditation	Full Accreditation
Park #6	Full Accreditation	Full Accreditation
Park #16	Full Accreditation	Full Accreditation
Platte #1	Full Accreditation	Full Accreditation
Platte #2	Full Accreditation	Full Accreditation
Sheridan #1	Full Accreditation	Full Accreditation
Sheridan #2	Full Accreditation	Full Accreditation
Sheridan #3	Full Accreditation	Full Accreditation

# 2017-2018 WYOMING DISTRICT ACCREDITATION RECOMMENDATIONS

## *TWO-YEAR COMPARISON*

District	Accreditation Status <i>2017-18 Recommendation</i>	Accreditation Status <i>2016-17 with Reason</i>
Sublette #1	Full Accreditation	Full Accreditation
Sublette #9	Full Accreditation	Full Accreditation
Sweetwater #1	Full Accreditation	Accreditation with Follow-up raised to Full Accreditation
Sweetwater #2	Full Accreditation	Full Accreditation
Teton #1	Full Accreditation	Full Accreditation
Uinta #1	Full Accreditation	Full Accreditation
Uinta #4	Full Accreditation	Full Accreditation
Uinta #6	Full Accreditation	Accreditation with Follow-up
Washakie #1	Full Accreditation	Full Accreditation
Washakie #2	Full Accreditation	Full Accreditation
Weston #1	Full Accreditation	Full Accreditation
Weston #7	Full Accreditation	Full Accreditation
St. Stephens	Full Accreditation	Full Accreditation

*For information on Accreditation contact Dianne Frazer at 307-777-8676 or [dianne.frazer@wyo.gov](mailto:dianne.frazer@wyo.gov).*

# 2017-2018 WYOMING INSTITUTIONAL SCHOOL ACCREDITATION STATUS

## TWO-YEAR COMPARISON

Institutional School	Accreditation Status 2017-18 Recommendation	Accreditation Status 2016-17 with Reason
C Bar V Ranch	Full Accreditation	Full Accreditation
Cathedral Home	Full Accreditation	Full Accreditation
Fremont County BOCES	Full Accreditation	Full Accreditation
NE BOCES, Powder River Basin	Full Accreditation	Full Accreditation
Northeast WY BOCES, Big Horn Basin	Full Accreditation	Full Accreditation
Normative Services	Full Accreditation	Full Accreditation
Red Top Meadows	Full Accreditation	Full Accreditation
St. Joseph's Children's Home	Full Accreditation	Full Accreditation
Wyoming Behavior Institute	Full Accreditation	Full Accreditation
Wyoming Boys School	Full Accreditation	Full Accreditation
Wyoming Girls School	Full Accreditation	Full Accreditation
Youth Emergency Services, Inc. (YES House)	Full Accreditation	Full Accreditation

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## Memorandum

To: State Board of Education  
From: Megan Degenfelder, Chief Policy Officer  
Julie Magee, Director of Accountability  
Laurie Hernandez, Director of Standards  
& Assessment  
Date: July 12, 2018  
Subject: Chapter 6, 10, & 31 Rules  
Item Type: Action



### JILLIAN BALOW

Superintendent of Public Instruction

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## Introduction

The Chapter 6, 10, and 31 Rules are intricately related, with each chapter impacted by the other. For example, Chapter 10 (State Standards) outline what students must know and be able to do at specific points throughout their educational experience, including by the time they graduate from high school. The *benchmarks* (what students should know) and *performance level descriptors* (how well they should know it) described in Chapter 10 provide a framework for districts to establish local graduation requirements as well as a local assessment system that measures successful completion of the courses students take to earn a diploma, both of which are required in Chapter 31 (Graduation Requirements). It is through accreditation (Chapter 6) that schools and districts are held accountable for their adherence to the state standards in Chapter 10 and graduation requirements in Chapter 31.

The WDE collected public comment on all three of these chapters from May 9, 2018 through June 29, 2018. Chapter 6 received a total of two comments, Chapter 10 received a total of two comments, and Chapter 31 received zero comments. A summary of the comments received as well as proposed responses will be presented to the State Board of Education during the July meeting.

## Statutory Reference(s):

- Chapter 6: W.S. 21-2-304(a)(ii)
- Chapter 10: W.S. 21-2-304(c)
- Chapter 31: W.S. 21-2-304(a)(i)-(iv)

**Supporting Documents/Attachments:**

- Chapter 6:
  - Rules Packet
  - Certification Page
- Chapter 10:
  - Rules Packet
  - Certification Page
- Chapter 31:
  - Rules Packet
  - Certification Page

**Proposed Motions:**

- Chapter 6: “I move that the State Board of Education adopt the Chapter 6 Rules.”
- Chapter 10: “I move that the State Board of Education adopt the Chapter 10 Rules.”
- Chapter 31: “I move that the State Board of Education adopt the Chapter 31 Rules.”

**Chapter 6**  
**District and School Accreditation**

**STATEMENT OF REASONS**

The proposed revisions to the Chapter 6 rules are intended to define the expectations for state accreditation and provide detail as to the process by which Wyoming school districts and the schools within districts are annually accredited by the Wyoming State Board of Education.

The Chapter 6 rules were last adopted in 2005 and are inclusive of several components of the Federal Elementary and Secondary Education Act of 2001, “No Child Left Behind” or NCLB. These components became outdated with the passage of the 2015 revision titled the “Every Student Succeeds Act” or ESSA. While the 2005 rules detail the requirements for accreditation and the consequences for reduced accreditation level, there is no explanation of the accreditation *process* for schools or districts.

In addition, changes in Wyoming statute since 2005 create changes that must be included in the Accreditation rules. Based on current laws, the major focus of accreditation is the district, rather than individual schools. Consequently, the first necessary modification is to change the Chapter 6 title from “School Accreditation” to “District and School Accreditation.”

By meeting the regulations set forth in the proposed rules, Wyoming districts ensure that processes are in place to meet statutory requirements intended to improve student learning and ensure equity of opportunity to learn.

## Chapter 6 District and School Accreditation

**Section 1. Authority.** These rules and regulations are promulgated pursuant to the Wyoming Education Code of 1969 (as amended 1999) by the Wyoming State Board of Education and the Wyoming Department of Education under the authority of (W.S. 21-2-304 (a)(i) and W.S. 21-2-202(c)(ii)).

**Section 2. Applicability Purpose.** These rules and regulations pertain to the evaluation and accreditation of public schools (K-12). With these rules and regulations, it is the intention of this agency to establish minimum standards with which public schools (K-12) must comply establish the state accreditation requirements for all Wyoming schools and districts.

**Section 3. Promulgation, Amendment, or Repeal of Rules.** Any amendments to these rules shall become effective as provided by the Wyoming Administrative Procedure Act. (W.S. 16-3-101 through 16-3-115).

### **Section 4 3. Definitions.**

(a) Accreditation. A process by which each school district and each school within the district assesses itself and is monitored by the state in order to identify strengths, plan and implement improvement, assure legal compliance and assure the public that districts are providing educational programs sufficient to enable students to demonstrate proficiency in state and locally determined content and performance standards. (W.S. 21-2-304 (a)(ii) and W.S. 21-9-101(b)) “Accountability” means the system of school performance ratings established by the Wyoming Accountability in Education Act.

(b) Adequate Yearly Progress (AYP). A series of performance goals that every public school, public school district, and the state must achieve within special timeframes in order to meet the 100% proficiency goal established by the federal No Child Left Behind Act of 2001 (NCLB) “Accountability Framework” means the Wyoming Comprehensive Accountability Framework: Phase 1. National Center for the Improvement of Educational Assessment. (January 31, 2012) incorporated by reference into Wyoming statute per W.S. 21-2-304(a)(vi), W.S. 21-2-204(f), and W.S. 21-2-204(k).

(c) At-Risk Students. School age individuals who exhibit behaviors that place the student at risk of experiencing educational failure. (W.S. 21-2-202 (a)(xviii) and (xix), and W.S. 21-9-101(e)) “Accreditation” means a process by which each district and each school within the district annually self-reports and is monitored by the state in order to assure compliance with statutes that are intended to improve student learning and ensure equity of opportunity to learn.

(d) Benchmark Standard. A statement of skills and knowledge to be demonstrated at a specified grade or at the end of a specified range of grades. Benchmarks are used as checkpoints to monitor progress along a continuum of grades from kindergarten through grade-12 “Accreditation Criteria” means the requirements established in this chapter that all districts and

the schools governed by these districts must meet, as applicable, to be accredited by the State Board.

~~(e) Common Core of Knowledge. Areas of knowledge each student is expected to achieve at levels established by the district standards aligned to state standards. (W.S. 21-2-304(a)(iii))~~ “Annual Accreditation Report” means a required document with attestations and links to documents submitted annually to the Department by districts that verifies adherence to the accreditation criteria.

~~(f) Common Core of Skills. Skills each student is expected to demonstrate at levels established by the district standards aligned to state standards. These skills may be integrated into the Common Core of Knowledge standards. (W.S. 21-2-304(a)(iii))~~ “Compliance” means meeting or adhering to the requirements of statutes and regulations.

~~(g) Compliance. Documenting that the district adheres to applicable statutes and regulations~~ “Evidence” means annual reports, documents, web sites, data, surveys, and other artifacts used to verify adherence to the accreditation criteria.

~~(h) District Improvement Plan. A document developed by a public school district that serves as a blueprint for continuous improvement and progress toward school and student achievement objectives~~ “Instructional Core” means an education model that illustrates the relationship between the teacher, the content, and active learning or student engagement.

~~(i) Elementary and Secondary Education Act (ESEA). The federal education statute originally passed by the U.S. Congress in 1965, that authorizes many of the major federal education programs, including Title I, and has been reauthorized by Congress several times, most recently by the No Child Left Behind Act of 2001 (NCLB)~~ “Improvement Plan” means a document that includes goals and strategies to meet performance objectives.

~~(j) Fixed Costs. Costs that are essential to the operation of the school and district facilities that cannot be reduced or eliminated, and over which districts have limited control. These include utility costs and essential facilities repairs. They may also include repairs and construction required by law and safety regulations. (W.S. 21-15-115)~~ “Proprietary” means a process or product that is used, produced, or marketed under exclusive legal right of any business, agency, or non-profit organization.

~~(k) Guidance Services. Services which include the following major functions:~~ “Statewide System of Support” means state and district assistance intended to increase school performance in accordance with W.S. § 21-2-204(h).

~~(i) Counseling individual and small groups of students. Diagnostic testing results along with other pertinent information may be used as aides in the counseling process.~~

~~(ii) Consultation with school staff and with parents about the general welfare of students as individuals in the classroom and in the total school environment.~~

~~(iii) Coordination of guidance services within, between, and among schools, between school and community, and between school and referral agencies in the community.~~

~~(l) Health Services. An organized program provided by qualified personnel to: identify potential and existing health problems among students; provide injury and illness prevention services and emergency care; provide procedures for referral to other health care providers and community agencies; protect confidentiality of all health information; provide for the safe handling, storage and administration of both prescription and over the counter medications; and promote the health and wellbeing of all students. “Verification” means confirmation that all Wyoming districts and the schools governed by these districts have met the Wyoming accreditation criteria.~~

~~(m) Media Services. An organized program to provide all students with access to resources which include all print, non print and electronic information and educational resource materials which aid in supporting the teaching learning process. “Wyoming Accountability in Education Act” (WAEA) means the Wyoming school accountability system established by W.S. § 21-2-204.~~

~~(n) Parent, Student and Local Community Involvement. The participation by parents, local community, and students, when appropriate, in helping to support the development and implementation of student content and performance standards and school improvement goals. “Wyoming High School Activities Association” (WHSAA) means an organization that promotes, coordinates, and controls interscholastic activities in Wyoming.~~

~~(o) Professional Development. A process involving evaluation, identification of needs, and planned activities for individuals, schools and the entire district designed to improve those elements of professional knowledge and skills that affect student learning. The process includes:~~

~~(i) Evaluation of professional development needs. The determination of professional development needs through a needs assessment, school improvement plans and teacher evaluations (W.S. 21-2-304).~~

~~(ii) Planned activities. Related professional development opportunities for initial study and direct instruction, follow-up training, and in-class practice with administrative support and feedback.~~

~~(iii) Monitoring of results. The examination of in-class practice and student learning results as identified by school improvement plans to determine the impact of professional development.~~

~~(p) Program. Any or all of the district sponsored or district supported educational opportunities for students, either within or beyond the school day. (W.S. 21-3-110(a)(xv)).~~

~~(q) Public School. An entity created or chartered by a local district board which provides education free of charge to students ages 5 to 21. (W.S. 21-13-101(a)(iv)(vi)(vii) and~~

(xvi), and W.S. 21-4-301).

(f) ~~Public School District. A governmental subdivision whose function is to provide for the education of persons in grades K-12 (or as otherwise legally authorized) in a geographic area defined by the Wyoming State Committee on School District Organization. (W.S. 21-13-101(a)(iii)).~~

(g) ~~Reliable Measure. An assessment from which similar scores are obtained when the same procedure is used with the same students on different occasions, on different tasks measuring the same skill, and from different independent assessors.~~

(h) ~~School Improvement Plan. A document developed by a public school that serves as a blueprint for continuous improvement and progress toward school and student achievement objectives.~~

(i) ~~School Restructuring Plan. An addendum of the School Improvement Plan that serves as a blueprint for more systemic reform, consistent with federal law.~~

(j) ~~Student Content Standard. A statement that specifies what students must know and be able to do in the areas identified by the Common Core of Knowledge and the Common Core of Skills.~~

(k) ~~Student Performance Standard. A definition of how good is good enough to constitute a proficient performance on a set of content standards. This definition may include the following components:~~

(i) ~~Performance levels. Labels for each level of achievement.~~

(ii) ~~Performance descriptors. Describes performance at each level.~~

(iii) ~~Sample student work. Examples of student work from a representative sample of all students that illustrate the full range of performance at each performance level.~~

(iv) ~~Cut scores. Demarcation between adjacent levels of performance.~~

(l) ~~Title I. The Elementary and Secondary Education Act program, reauthorized under the No Child Left Behind Act, that focuses on improving the academic achievement of disadvantaged students by providing federal funds to qualified schools to help academically disadvantaged students reach, at a minimum, proficiency on challenging state academic standards and state academic assessments.~~

(m) ~~Valid Measure. An assessment that is a relevant and representative sample of the content area being measured. This determination includes the adequacy and appropriateness of the interpretation that is to be made from the assessment results.~~

(n) ~~Wyoming State Accountability Workbook. The document, officially known as~~

~~the Consolidated State Application Accountability Workbook, required by the Department of Education, that describes how the state will comply with federal law, including a description of how annual determinations of Adequate Yearly Progress will be made for every public school and public school district.~~

**Section 5 4. Wyoming Statutes Accreditation in General.** ~~All public school districts, and the schools and personnel within those districts, must comply with the applicable statutes of the State of Wyoming~~ The State Board shall accredit Wyoming districts and the schools governed by these districts based on adherence to all applicable laws, rules, and regulations, including the Wyoming Accountability Framework, based on the recommendation of the Department.

(a) The process for accreditation of Wyoming districts and the schools governed by these districts shall include:

(i) Attestation through an accreditation report submitted to the Department by November 1 annually by the district superintendent that the district and all schools governed by the district meet the accreditation criteria.

(ii) Annual verification of district compliance with all applicable laws, rules, and regulations through review of documents, data and other evidence by the Department aligned to the accreditation criteria.

(iii) A review of the District Assessment System (DAS) every five years by the Department.

(iv) The accreditation status of the district or individual schools may be lowered by the State Board based on school performance as measured by the Wyoming Accountability in Education Act in accordance with Section 6 of this chapter.

(b) All documents and data submitted to the Department, as well as other Department verification processes, shall be considered as evidence for accreditation to reduce duplicative reporting requirements.

(c) Findings of noncompliance shall be reviewed with district superintendents annually by March 1. District superintendents shall be given until May 1 to satisfactorily address the findings without negatively impacting the accreditation level of the district or any school governed by the district.

(d) The Department shall annually make an accreditation recommendation to the State Board for all Wyoming districts and the schools governed by these districts.

(e) The duration of accreditation shall be for one year, from July 1 to the following year on June 30.

(f) The accreditation level shall be the accreditation level for the next year unless an exception is granted by the State Board.

(g) The Department shall maintain a list of accredited Wyoming schools on the Department website.

(h) No Wyoming district or the schools governed by a district shall, as a condition for state accreditation, be required to participate in any proprietary continuous improvement or school improvement process provided by the Department beyond that required by the System of Support per W.S. § 21-2-204(h) and through Federal regulations.

(i) Each district will host an on-site external review of the district and schools within the district at least once every five (5) years with the purpose of reviewing selected accreditation criteria, including the district assessment system. This includes a review of the assessment system by the Department, and may include a review of other aspects of the district system by the Department, or an external systems review by a Department-approved third-party vendor.

**Section 6 5. Wyoming State Board of Education Policies and Regulations- Accreditation Criteria.** All public school districts, and the schools and personnel within those districts, must comply with applicable Wyoming State Board rules. (W.S. 21-2-304) The accreditation criteria and the aligned indicators summarize the requirements for Wyoming districts and schools governed by Wyoming districts.

(a) District Board. Oversight and governance for the district is provided by an elected board of trustees that determines the district purpose and goals, operates in an ethical manner, maintains up-to-date, publicly available policies and documents, and employs and evaluates a superintendent who serves as the chief administrator for the district.

(i) Board Members and Operations. An elected board provides oversight and governance for the district, establishes district policy, operates within established board duties, and adheres to a code of conduct and a code of ethics.

(ii) District Purpose and Goals. The board develops a widely shared purpose and goals, or strategic plan for the district that conveys high expectations for learning for all staff and students and is focused on improving the instructional core.

(iii) District Superintendent. A hired superintendent serves as the chief administrative officer, and implements district procedures in a cohesive manner consistent with statute, board policies, and the district strategic plan. The superintendent is evaluated by the District Board.

(b) District Leadership. District administrators, including principals, manage district operations and provide instructional guidance. District administrators are evaluated in a manner consistent with Wyoming statute and regulations. The district superintendent or their

representative provides assistance with school improvement planning and resource allocation for schools that need improvement.

(i) District and School Accreditation. District and school leaders annually self-evaluate to ensure the district and all schools within the district meet all applicable Wyoming accreditation criteria and the aligned requirements of statute.

(ii) District Leader Evaluation. District and school leaders are evaluated by the district superintendent in a manner consistent with statute and board policy. This includes annual submission of a review of the district leader evaluation system for districts with schools that are partially meeting and not meeting expectations per W.S. 21-2-204(h)(v) & (vi).

(iii) School Improvement Representative. The district superintendent or a designated representative provides assistance with improvement planning and resource allocation for schools identified as in need of improvement through the Wyoming accountability system.

(c) School Leadership. Principals provide administrative management and instructional leadership, including the evaluation of teachers and other instructional staff in accordance with Wyoming regulations, for the school(s) to which they are assigned.

(i) Principal Roles and Responsibilities. The district defines the roles and responsibilities of principals, including establishing a positive culture, instructional leadership, and school administration.

(ii) Teacher Evaluation. Teachers are evaluated by principals in a manner consistent with statute and board policy.

(d) Stakeholder Communication and Input. The district and all schools within the district communicate with and solicit input and feedback from stakeholders, and use the input to improve district and school processes.

(e) Employment and Certification. All personnel are hired and evaluated in accordance with Wyoming statute and district policies.

(i) Teacher Employment. District employment policies and practices ensure that quality applicants are hired for all instructional positions.

(ii) Certification and Assignment. All personnel that require certification have a current or pending certificate issued by the Wyoming Professional Teaching Standards Board, and their assignment is consistent with their area of endorsement.

(iii) Education Support Personnel. Education support personnel are employed in a manner consistent with district policy that ensures qualified support staff.

(iv) Compliance Training. District personnel receive compliance training as required by statute.

(f) Professional Development. The district professional development plan is designed to increase the capacity, collaboration, and collective efficacy of instructional staff and leaders to improve the instructional core. Professional development is regularly conducted, is relevant to daily work and content areas, and involves active work among colleagues.

(g) State Assessment and Accountability. All schools in the district administer Wyoming statewide assessments and receive a school performance rating annually in accordance with the Wyoming Accountability in Education Act (WAEA).

(h) School Improvement and Support. Schools identified as partially meeting or not meeting expectations assess needs using WAEA indicator data, write improvement goals aligned with the applicable WAEA indicators, develop improvement plans that are annually approved by the district and submitted to the Department, and participate in the Statewide System of Support if requested to do so by the Department.

(i) Data Review/Needs Assessment. Results from the Wyoming accountability system as well as other data are used to identify school improvement goals and priorities.

(ii) School Improvement Plans. School improvement plans are written, submitted to the district and the Department, implemented, and routinely updated by school leaders and staff for schools designated as in need of improvement.

(iii) Small School Improvement Plans. Schools that do not have at least ten students on at least two WAEA indicators will annually submit an improvement plan to the Department that includes strategies to improve student achievement, growth, and equity.

(iv) Statewide System of Support. Leadership teams for schools designated as priority schools by the Department participate in the system of support in accordance with statute.

(i) Programs, Standards, and Curriculum. Educational programs in the district are sufficient for all students to meet the uniform Wyoming Content and Performance Standards in all content areas.

(i) Education Programs and Standards. The curriculum in all content areas is aligned to and inclusive of the Wyoming Content and Performance Standards.

(ii) Math and Literacy Focus. Math and literacy are a high priority in the elementary grades.

(iii) College and Career Preparation. Coursework and guidance provided is sufficient to prepare students for college, career, and successful citizenship.

(iv) Other Curricular Requirements. The district curriculum addresses other curricular requirements included in Wyoming statute.

(j) District Assessment System. Through a balanced student assessment system, the district verifies that Wyoming Content and Performance Standards are taught and assessed in all content areas. Assessment results are used to set goals, make instructional decisions and monitor student progress. The assessment system is continuously refined and updated by the district, and is formally reviewed every five years by the Department. The assessment system may be reviewed more frequently by the Department for districts with schools that are partially meeting or not meeting expectations.

(k) Instructional Methods. The district has implemented a coherent instructional system and a shared instructional process or framework that defines high leverage teaching methods instructional staff use to engage students in the subject matter in all content areas across the district.

(i) District Instructional System. The district has a coherent approach, model, or system for aligning curriculum, assessment, instruction, learning support and other aspects of the instructional program.

(ii) Instructional Framework. The district has identified high leverage instructional strategies, intended to increase student engagement and active learning that should be observed in all classrooms across the district.

(iii) Teacher Expertise. Individual teacher professional growth is focused on the development of instructional expertise specific to the grade level or content area.

(l) Learning Supports. Assessment results are used to monitor student progress and assign students in need of intervention to multi-tiered supports. The district is in compliance with all State and Federal Special Education laws. The district addresses the individual learning needs of English learners.

(i) Student Learning Support. Individual student needs are addressed through a structured process that includes interventions and enrichment for all students. (i.e. Response to Intervention or Multi-Tiered System of Support).

(ii) Reading Assessment and Intervention. The district reading assessment and intervention plan includes multi-tiered supports, a screening program, progress monitoring, individual student reading plans, and individual school plans in accordance with W.S. 21-3-401.

(iii) Students with Disabilities. Specialized staff, differentiated instruction, and evidence-based interventions are provided for Students with Disabilities in accordance with Wyoming and Federal statute.

(iv) English Learners. The district provides support by qualified staff to address language barriers for English learners.

(v) Gifted and Talented. The district offers instruction that addresses the individual learning needs of gifted students.

(vi) Student Support Services. The district offers additional student supports including guidance counseling and social services, and instruction for hospitalized and homebound students.

(vii) Family Engagement. The district has adopted and implemented strategies to engage families at all levels in their children's learning.

(m) At-Risk and Dropout Prevention. The district has an early warning system to identify at-risk students, and has implemented dropout prevention strategies.

(i) Early Warning Systems. The district has data systems in place to monitor factors that are early predictors of dropout.

(ii) Compulsory Attendance. The district and all schools monitor student absenteeism and intervene as soon as a student becomes chronically absent.

(iii) Dropout Prevention Strategies. The district has implemented dropout prevention strategies.

(n) School Culture, Climate, and Safety. The district has a plan for promoting positive school culture and learning environments that are safe, orderly, and conducive to learning for all students.

(i) School Culture and Climate. The culture and climate in all schools is designed to ensure positive relationships and decrease harassment, intimidation, and bullying.

(ii) School Safety. All schools use multiple strategies to ensure the physical safety of students. These are defined in a district crisis management plan.

(o) Student Activities. Students are encouraged to participate in activities, clubs, organizations, field trips, and school-sponsored events that extend learning beyond the classroom. WHSAA sanctioned activities and athletics are made available to all high school-age individuals that reside in the district.

(p) High School Graduation. High school graduates satisfactorily complete coursework that meets or exceeds the minimum requirements established by the State Board.

(q) Technology and Media. District technology includes internet connectivity. Technology, library, and media services meet the research, learning, and information management needs of students and staff.

(r) Virtual Education. If virtual education is provided by the district, the virtual courses meet all state requirements in accordance with Chapter 41 Rules and Regulations.

(s) Buildings and Facilities. All schools and other district buildings are constructed and maintained in accordance with Wyoming School Facilities Department guidelines and other regulations that govern the safety and security of Wyoming public buildings.

(t) Student Health. Personnel and processes, including prevention programs, are in place to address the physical and mental health needs of all students enrolled in the district.

(u) Calendars and Schedules. The number of school days, hours of student teacher contact, alternative calendars, days of observance and mourning, scheduled holidays, and reports of school closure are in accordance with Wyoming statute, rules and regulations.

(v) Transportation. The district provides student transportation to and from school and provides student transportation for interscholastic activities in accordance with applicable laws, rules, and regulations.

(w) Food Services. The district adheres to Wyoming and Federal regulations and guidelines related to the sanitation of food service facilities and the quality and nutritional value of food provided to students. Free and reduced cost meals are provided based on the income of parents or guardians.

(x) Finance and Data. District finances are managed and routinely audited in accordance with Wyoming and Federal regulations, and accurate data are collected and reported to the Department in a timely manner.

(y) Student Information Management. Student information, records, identification, attendance calculations, enrollment and transfers are conducted in accordance with statute.

**Section 7 6. Student Standards Accreditation Status.** ~~All public school students shall meet the student content and performance standards at the level set by the school district aligned to state standards for:~~ All public school districts and schools within those districts shall be granted accreditation levels by the State Board.

(a) ~~Common Core of Knowledge, emphasizing reading, writing and mathematics in grades one (1) through eight (8): (W.S. 21-9-101(b)(i) and (ii)).~~ One of the following accreditation levels shall be granted by the State Board on an annual basis:

(i) Accredited. The district has met all applicable state accreditation criteria based on the Department annual review of evidence or the most recent external review. With the exception of schools identified as accredited with support in accordance with Section 7 of this chapter, the school accreditation level shall be the same as the district accreditation level.

(ii) Accredited With Follow-up. The district has not met one or more of the applicable accreditation criterion, and has not addressed the concern during the grace period

described in Section 4(c) of this chapter. Districts that are accredited with follow-up will be recommended for full accreditation to the state board upon Department verification that the district has met the criteria.

(iii) Accredited With Support. The district failed to meet one or more of the applicable criteria for more than one year. Schools and districts may also be accredited with support based on WAEA school performance level in accordance with Section 6 of this chapter. A district or school may remain at the level of accredited with support indefinitely.

(iv) Non-Accredited. Upon the recommendation of the Department and a majority vote of the State Board, a district that has been at the level of accredited with support for two or more years may be designated as non-accredited by the State Board.

(A) This decision shall be based on refusal or inability of the district to address the issues of non-compliance that caused the district to be at the level of accredited with support and shall not be based solely on school performance.

(B) The State Board may raise the status of a district from *non-accredited to accredited with support* based on a majority vote if the district has addressed the issues of non-compliance in a manner deemed satisfactory by the Department.

(C) The State Board and State Superintendent may take appropriate administrative action against any Wyoming district or any school governed by the district for non-accreditation.

(b) ~~Common Core of Skills. (W.S. 21-9-101(b)(iii)).~~

(c) ~~The district shall involve parents, community, and professional staff in developing student content and performance standards in the common core of knowledge and skills through an officially adopted planning process reinforced by board of trustee policies. Districts may choose to adopt state standards using the board of trustees' official process that includes involving parents, community, and professional staff. (W.S. 21-9-101(b)).~~

(d) ~~The district shall implement programs which will align to state standards and meet or exceed the requirements of those standards. Programs shall include:~~

(i) ~~Planned strategies for intervening with students who fail to demonstrate proficiency on standards; and~~

(ii) ~~Planned strategies for academically challenging students who consistently exceed standards.~~

(e) ~~The district shall adopt and implement strategies to monitor the teaching of standards. (W.S. 21-3-110(a)(xvii), (xviii), and (xix)).~~

## **Section 8 7. Student Assessment School Accreditation Status.**

~~(a) The state shall have a system of assessments aligned with state standards, consistent with the requirements of state and federal law. This assessment system shall be designed in accordance with standards of professional technical quality, as described in Section 8(f)(iii)(A) through (E), and be capable of generating results for all identifiable subgroups within each public school and public school district (W.S. 21-2-304(a)(iv) and (v)). The State Board may lower the annual accreditation status for an individual school based on WAEA school performance level per W.S. § 21-2-304(b)(ii). This shall include:~~

~~(i) An accreditation status of “accredited with support” for any school that is not meeting expectations for three or more consecutive more years. The first year of identification will be 2020-21 with the initial accountability level derived from the spring 2018 state assessment.~~

~~(ii) An accreditation status of “accredited with support” for any district in which every school in the district is not meeting expectations for three or more consecutive years. The first year of identification will be 2020-21 with the initial accountability level derived from the spring 2018 state assessment.~~

~~(b) For the 2004-2005 school year, each district shall ensure that all students in fourth, eighth, and eleventh grades participate in the Wyoming Comprehensive Assessment System (WyCAS).~~

~~(c) Beginning with the 2005-2006 school year, the state assessment system shall include and each district shall implement an assessment of student performance in reading, writing, and mathematics at grades three through eight and at grade 11.~~

~~(d) Beginning with the 2007-2008 school year, the state assessment system shall include and each district shall implement an assessment of student performance in science at least once in each of grades three through five, grades six through eight, and grades ten through twelve.~~

~~(e) The district shall ensure that all students enrolled in the grades required to be assessed participate in the assessment system in one of three ways (W.S. 21-2-304(a)(v) and W.S. 21-3-110(a)(xxiv)):~~

~~(i) In the general assessment with no accommodations;~~

~~(ii) In the general assessment with appropriate accommodations; or~~

~~(iii) In the alternate assessment.~~

~~(f) The district shall design and implement a district assessment system to measure student performance relative to district content and performance standards aligned to state standards. At a minimum, the district assessment system shall be designed to determine whether all students have had equality of educational opportunity to learn the content and skills-~~

~~represented in the standards and to the level established by the performance standards. This assessment system shall be designed in accordance with standards of professional technical quality, as set forth in Section 8(f)(iii)(A) through (E), and be capable of generating results for all identifiable subgroups within the district (W.S. 21-2-304(a)(iv) and (v), and W.S. 21-3-110(a)(xxiv)).~~

~~(i) In order to evaluate equality of educational opportunity, the assessment system shall be implemented uniformly across the district.~~

~~(ii) Among other measures, the district shall incorporate the state assessment system into its district assessment system by using state assessment results to measure the Wyoming Content and Performance Standards in mathematics, reading, and writing for fourth, eighth, and eleventh grade students.~~

~~(iii) The system shall be designed and implemented so that inferences pertaining to equality of educational opportunity can be supported by the assessment system. The system shall be designed to meet the following technical requirements, all of which contribute to documenting the validity of the overall district assessment system.~~

~~(A) Alignment the combination of assessments that comprise the system shall be aligned with district content and performance standards so that the full set of standards in the common core of knowledge and skills, both in terms of content and cognitive complexity are assessed. The assessment system shall reflect how the district has prioritized the standards.~~

~~(B) Consistency the assessment system should be designed and implemented in such a way so that inferences drawn from the results of the assessments are consistent and not dependent on error due to raters or the quality of the assessments. While the focus is on the system, in order to meet this requirement, individual assessments within the system will need to be designed to yield consistent results, in terms of error due to raters, tasks, administration conditions, and occasions.~~

~~(C) Fairness the assessment system should be designed so that it is not biased against any group of students. As such, appropriate accommodations should be used so students with disabilities and Limited English Proficient students have fair access to the assessment system. As stated in Section 8(e)(i), (ii) and (iii) herein, multiple assessment formats should be employed in the assessment system which will contribute to improving the fairness of the system.~~

~~(D) In order to improve alignment, consistency, and fairness, multiple measures in each of the common core of knowledge and skill areas, but not necessarily at every grade level, shall be employed in the system.~~

~~(E) Descriptions of what constitutes proficient performance shall be clearly articulated and shall be correlated with the performance descriptors found in the Wyoming Content and Performance Standards. The cut scores that delineate the various~~

performance levels on each assessment shall be tied to these district performance descriptors and shall be based on research or best practices.

~~(g) The district shall have a board approved process in which student performance results are identified, monitored, and reported (W.S. 21-2-202(a)(xiv) and W.S. 21-2-304(a)(v)).~~

~~(i) The district shall distribute a uniform state report widely to its patrons in addition to other results from the district's assessment system as deemed appropriate by the district.~~

~~(ii) The district shall report the results of the district assessment system to the Wyoming Department of Education. Disaggregated results shall be reported for any of the following subgroups that include 10 or more students: gender, ethnicity, economic status, mobility indicators, disability status, and other appropriate for the given locale. These disaggregated results shall be used to determine if all groups of students have been provided adequate opportunities to acquire the knowledge and skills necessary for meeting the graduation standards.~~

~~(h) In order for the State Board of Education to accredit school districts, each district will submit to the Wyoming Department of Education the following information at least 45 days prior to its scheduled accreditation visit:~~

~~(i) The district assessment plan that indicates the specific grade/course levels assessed, the types of assessments, the specific standards assessed, and a brief description of the assessments;~~

~~(ii) Evidence of alignment among the standards, benchmarks, and assessments;~~

~~(iii) Evidence of consistency of the assessment system;~~

~~(iv) Documentation regarding the fairness of the assessment system;~~

~~(v) Participation rates for various subgroups of students including at least students with disabilities and limited English proficient (LEP) students for the various assessments in the system;~~

~~(vi) Procedures for ensuring the participation of all students regardless of disability or English language proficiency;~~

~~(vii) A description of the methods used to include the most severely cognitively disabled students in the district assessment system;~~

~~(viii) Sample reports produced from the assessments in the system;~~

~~(ix) At least three sample assessments from the system which are not~~

~~purchased, standardized assessments; and~~

~~(x) Other evidence that the district chooses to submit to support the technical quality of the assessment system.~~

~~**Section 9. — Accountability System.** The state shall have a single statewide accountability system, with rewards and consequences, consistent with the requirements of state and federal law. The Accountability System shall be as defined in the Wyoming State Accountability Workbook, approved by the U.S. Department of Education, and shall include an annual Adequate Yearly Progress (AYP) determination, based primarily on the results of state assessments, for every public school and public school district. (W.S. 21-2-304(a)(vi)). The Accountability System shall be designed to provide valid and reliable accountability determinations that can help promote continuous improvement in raising student achievement and closing achievement gaps.~~

~~**Section 10. — Rewards and Consequences.** The state shall have a system of rewards and consequences for every public school and public school district, consistent with the requirements of state and federal law. (W.S. 21-2-304(a)(vi)(C)(D) and (E)).~~

~~(a) Rewards. Each public school and public school district shall be eligible for rewards based on its annual AYP determination and additional data. Rewards shall be administered by the Wyoming Department of Education and may include:~~

~~(i) Notification to eligible schools and districts, with the option to request further public recognition by the State Department of Education;~~

~~(ii) Encouragement for schools to seek awards (through districts) under Wyoming's Innovative Trust Fund (or other funds established in state law) to support innovative education initiatives that improve student achievement to the extent state funding is available for such purpose;~~

~~(iii) Awards for Title I schools (through districts) under the provisions of NCLB to the extent federal funding is available for such purpose;~~

~~(iv) Consideration for increased local flexibility, consistent with state and federal law.~~

~~(b) Consequences. The state shall have a system of consequences that applies to all public schools and public school districts and that, consistent with state and federal law, are designed to provide options for appropriate interventions, escalating in nature over time, that can help improve student achievement and close achievement gaps. These consequences shall be based primarily on annual AYP determinations with the nature and degree of such consequences informed by subsequent analysis of AYP and additional data.~~

~~(i) School Level Consequences~~

(A) ~~Year 1. A school that does not meet AYP in any year shall be expected to undertake, with the participation of the school district, an examination of the AYP determination and an identification of reasons for underperformance. The school shall be expected to address identified issues as part of its annual review and School Improvement Plan development process. The school, at the option of the district, may receive targeted technical assistance to be provided by the state, to the extent available given state capacity and funding.~~

(B) ~~Year 2. A school that does not meet AYP in the same subject for two consecutive years shall be subject to the following improvement consequences:~~

~~(1) If the school is a Title I school, the district shall provide written notice to the parents of each student enrolled in the school of the determination and the resulting consequences.~~

~~(2) For Title I and non Title I schools, not later than three months after identification for improvement, the school with broad-based involvement of parents, school staff and others, shall review and revise its School Improvement Plan to address identified issues and shall obtain district approval of the revised plan. The School Improvement Plan shall cover a 2 year period and shall be implemented expeditiously and in no case later than the beginning of the school year following identification.~~

~~(3) Targeted technical assistance shall be provided by the Wyoming Department of Education and the district for all schools not meeting AYP.~~

~~(4) For Title I schools, consistent with federal law, the school shall target 10% of Title I funds to high-quality professional development. Non-Title I schools shall be encouraged to make professional development activities a focus of the school improvement plan.~~

~~(5) For Title I schools, consistent with federal law, the district shall provide students enrolled in the school the option to transfer to another public school within the district that has not been identified for improvement. The districts may elect to make public school choice available to students enrolled in non Title I schools, with appropriate limitations established by the district.~~

(C) ~~Year 3. A school that does not meet AYP in the same subject for three consecutive years shall be subject to all consequences applicable to schools of its type in Year 2 as well as the following requirements:~~

~~(1) For Title I schools, consistent with federal law, provide additional tutoring and support services for students, consistent with the supplemental educational services requirements of federal law.~~

~~(2) For Title I and non Title I schools, utilize funds for summer school and remediation efforts to provide additional tutoring and support services for students most at risk of not achieving proficiency goals.~~

~~(D) Year 4. Title I and non Title I schools that do not meet AYP in the same subject for four consecutive years shall be subject to all consequences applicable to schools of its type in Year 3 as well as the following corrective action requirements:~~

~~(1) The district shall take one or more corrective actions consistent with state and federal law that are substantially and directly in response to the academic, staffing, curriculum, or other high priority areas in the school. Corrective actions shall include an appropriate educational intervention (including the review, revision, or expansion of a prior intervention) selected by the district from the following corrective action options: place an expert in the school; extend learning time; institute a new curriculum; decrease school management authority; restructure the school's internal organization; replace appropriate staff.~~

~~(2) The district shall publish and disseminate, to parents and to the public, information regarding the corrective action taken at each school.~~

~~(E) Year 5. Title I and non Title I schools that do not meet AYP in the same subject for five consecutive years shall be subject to all consequences applicable to schools of its type in Year 4 as well as the following requirements:~~

~~(1) For Title I and non Title I schools, the district shall undertake a review and revision of the corrective actions undertaken in Year 4, as appropriate, and continue with implementation of the corrective actions.~~

~~(2) For Title I schools, the district shall develop a restructuring plan for the school. The School Restructuring Plan shall follow NCLB guidelines and shall include a fundamental reform at a systemic, governance level that is to be taken by the district to improve student achievement. The district shall obtain approval of the School Restructuring Plan from the State Board of Education and shall prepare to implement the plan at the start of the next school year.~~

~~(3) For Title I and non Title I schools, the district shall undertake a review and revision of the corrective actions undertaken in Year 4, as appropriate.~~

~~(F) Year 6. A school that does not meet AYP in the same subject for six consecutive years shall be subject to all consequences applicable to schools of its type in Year 5 as well as the following requirements:~~

~~(1) For Title I schools, the district shall implement the School Restructuring Plan developed and approved in Year 5.~~

~~(2) For non Title I schools, the district shall review, revise, and expand, as appropriate, the corrective actions undertaken in previous years.~~

~~(iii) District Level Consequences:~~

(A) ~~Year 1. A district that does not meet AYP in any year shall be expected to undertake an examination of its AYP determination and an identification of reasons for not meeting AYP. The district shall have the option of receiving targeted technical assistance to be provided by the Wyoming Department of Education to the extent available given state capacity and funding.~~

(B) ~~Year 2. A district that does not meet AYP in the same subject in any two consecutive years shall be subject to the following improvement consequences:~~

(1) ~~Not later than 3 months after identification for improvement, the district, with broad-based involvement of parents, staff, and others, shall develop or revise a District Improvement Plan and shall obtain approval of the plan from the Wyoming Department of Education. The District Improvement Plan shall cover a two-year period and shall be implemented expeditiously and in no case later than the beginning of the school year following identification.~~

(2) ~~The district shall receive targeted technical assistance provided by the Wyoming Department of Education to the extent available given state capacity and funding.~~

(C) ~~Year 3. A district that does not meet AYP in the same subject for three consecutive years shall, if not already undertaken, begin implementation of the District Improvement Plan developed and approved in Year 2.~~

(D) ~~Year 4. A district that does not meet AYP in the same subject for four or more consecutive years shall be subject to the consequences applicable to districts in Year 3 as well as the following requirements:~~

(1) ~~For Title I districts, the state shall take one or more corrective action, as required by federal law and acting consistent with state law, from a menu of possible corrective actions.~~

**Section 11. — School Improvement.** ~~The district shall monitor school improvement planning of its schools and coordinate activities in support of implementing these plans. (W.S. 21-2-304(a)(v)). This process shall include:~~

(a) ~~Identification of district targets for improvement that reflect the common goals of individual school improvement plans based on state assessment system results in conjunction with the districts' assessment results.~~

(b) ~~Coordination of district instructional, human and fiscal resources in support of school improvement plans.~~

(c) ~~Oversight of school improvement goals and activities, including technology, to verify coordination and consistency with the district's technology plan. Each school improvement plan shall include:(i) Improvement goals derived from WyCAS and district~~

annual assessments;

- (ii) ~~Strategies for all students and specific strategies for student subgroups failing to meet the standards;~~
- (iii) ~~Strategies for student learning uses of technology;~~
- (iv) ~~Designated resources in support of the plan; and~~
- (v) ~~Evaluation of student results related to the goals.~~

**Section 12. — Professional Development.** The district shall demonstrate that professional development relates to student performance. ~~(W.S. 21-2-202(a)(i) and (xx), W.S. 21-2-304(a)(ii), W.S. 21-2-304(a)(v), W.S. 21-3-110(a)(xix), W.S. 21-9-101(b), and 21-9-101(e)).~~ Professional development shall focus on:

- (a) ~~The development and implementation of standards and standards-based assessments;~~
- (b) ~~The instructional and student learning uses of technology;~~
- (c) ~~Individual school improvement goals;~~
- (d) ~~Assessed needs based on documented student results; and~~
- (e) ~~Individual professional development goals for teachers in need of improvement.~~

**Section 13. — Parent and Community Involvement.** The district shall have procedures for involving school personnel, parents and community in decision making ~~(W.S. 21-2-202(a)(ii)).~~ Procedures shall include:

- (a) ~~Strategies for implementing standards;~~
- (b) ~~Goal setting and planning for school improvement; and~~
- (c) ~~Identification of budget priorities based on student performance standards~~

**Section 14. — At-Risk Students.** The district shall have policies and procedures for every school in the district to identify and intervene with at risk students. In addition, all schools shall provide instruction as appropriate through the school curriculum directed at the prevention of at-risk behavior. ~~(W.S. 21-2-202 (a)(xix), W.S. 21-2-304(a)(ii) and 21-9-101(e)).~~ These policies and procedures, at a minimum, shall include:

- (a) ~~Mechanisms for coordinating efforts across programs to maximize their effectiveness in preventing academic failure and for accessing the most appropriate program services for each student who exhibits behavior that places the child at risk for school failure.~~

These mechanisms shall include:

(i) An at risk committee which:

(A) Consists of at least two certified regular education teachers, at least one of which is the student's classroom teacher, and the school principal with other staff knowledgeable of at risk programs and strategies acting as consultants to the committee according to the needs of the individual student.

(B) Communicates with and includes, to the extent practical, parent(s) of the student discussed.

(C) Documents proceedings and communications with parents, and the student's teacher(s), to the extent required by the programs under consideration.

(D) Directs, evaluates, and documents the success or failure of the interventions to the extent required by the program for which a student is being considered, prior to making referrals for services outside the regular classroom. Title I student identification may occur with its own set of criteria.

(E) Ensures all relevant routine screening procedures, especially hearing and vision, have been completed on a regular basis and results are current for the school year.

(b) Rules for programs that address the needs of students with disabilities.

(c) Provision of strategies for students who consistently fail to meet or who exceed standards including:

(i) Expeditious referral of students to at risk programs.

(ii) Oversight of efforts to increase access of students to corrective and enrichment instruction in addition to that routinely provided in the regular classroom.

(d) Methods by which the district and schools monitor student learning results, based on student performance standards, for those groups who receive program services.

(e) Procedures for the district in consultation with the schools to decide whether a program shall continue based upon those results.

**Section 15. — School Climate.** The district shall adopt a procedure for assessing and reporting school climate on a regularly scheduled basis for school improvement planning purposes. The procedures shall include, at a minimum, assessment of students and staff at all grade levels, and of parents that include the following aspects of school climate:

(a) School mission and student learning;

- (b) School safety;
- (c) Service provision;
- (d) Equity; and
- (e) Opportunity to learn.

**Section 16. — Facilities and Budget.** The district shall adopt board of trustee policies that specify how state and district student performance standards have affected planning for facilities and annual budget priorities beyond fixed costs.

(a) The programs provided shall be sufficient for students to meet state and district content and performance standards. (W.S. 21-9-101(b)). Provisions for these programs shall include:

(i) Provisions to implement educational technology per the district technology plan and as necessary for delivery of instruction in the standards. (W.S. 21-9-101(b)(i)(M); (W.S. 21-9-101(b)(iii)(C); and W.S. 21-15-115(a)(vii)).

(ii) Textbooks, supplies and/or instructional materials deemed necessary by the district to deliver instruction on the standards. (W.S. 21-9-201).

(iii) Class size, when practicable, of no more than twenty (20) students per teacher in kindergarten through grade three (3) excluding children with disabilities who spend more than fifty percent (50%) of their time outside of regular class instruction. (W.S. 21-9-101(d) and (f)).

(b) The administration shall monitor building operations to assure all legal requirements, federal, state, and local, are met in each school.

**Section 17. — Technology.** The district shall develop and implement a technology plan that follows the guidelines set forth in the statewide technology plan. (W.S. 21-2-202(a)(xx)). The plan will include:

(a) District policies and procedures for accessing, using and sharing technology and information available through technology;

(b) A statement of the district's vision and mission for the integration in the application of technology into teaching and learning.

(c) Strategies for the establishment of formal partnerships among public and private entities to ensure community participation in the creation and implementation of the plan.

(d) Clear objectives for the integration in and application of technology to the

acquisition and performance of student standards.

(e) ~~An implementation plan that sets actions and timelines for deployment of necessary fiscal and human resources.~~

(f) ~~Professional development to ensure that staff is trained to use the technology to enhance instruction and improve student learning.~~

(g) ~~Evaluation strategies for determining needs and assessing impact of technology on instruction and improvement efforts.~~

(h) ~~Specific strategies for building and maintaining infrastructure and connectivity over time and provisions for sufficient budget to sustain each element of the plan.~~

**Section 18. — Graduation Requirements.** ~~All students, including an alternative school student, shall master the student content and performance standards aligned to state standards within the common cores of knowledge and skills at the levels set by the State Board of Education. Each student who demonstrates proficiency on the common core of knowledge and skills will be eligible for graduation per the requirements in Wyoming statute. These statutory requirements shall be monitored and enforced through the state accreditation process. (W.S. 21-2-304(a)(iii) and (iv)).~~

**Section 19. — Services.** ~~All districts shall provide support services. Nothing in this section shall be construed to prohibit school districts and/or schools within a district from providing these support services through partnerships with community agencies. The support services provided for students shall include:~~

(a) ~~Health/Safety Services. The district shall ensure that students are educated in a safe environment that meets all applicable building, health, safety and environmental codes and standards required by law for all public buildings. (W.S. 21-15-115(a)(i)).~~

(i) ~~The district shall provide an organized program provided by qualified personnel to:~~

(A) ~~Identify potential and existing health problems through routine health screening including:~~

(1) ~~Hearing screening for acuity and ontological problems.~~

(2) ~~Vision screening for acuity and color blindness.~~

(B) ~~Immediate and temporary care in case of injury.~~

(C) ~~Provide procedures for referral to other health care providers and community agencies.~~

- (D) ~~Provide procedures for confidentiality of all health information.~~
- (E) ~~Promote the health and wellbeing of all students.~~

~~Provide for the safe handling, storage and administration of both prescription and over-the-counter medications.~~

- (ii) ~~The district ensures that procedures are in place to ensure the following:~~

- (A) ~~Sanitation inspections for kitchens and serving areas are completed by the designated lawful authority and corrective actions required have been completed and documented;~~

- (B) ~~Fire inspections for all buildings and corrective actions required have been completed and documented;~~

- (C) ~~Ensure that eye protection is provided and used according to (W.S. 21-9-203A); and (D) Policies, procedures and practices required by law for the safe operation of student transportation services are adopted and implemented.(W.S. 21-3-131).~~

- (iii) ~~The district shall adopt and implement policies and procedures for managing exposure to common communicable diseases, exposure to blood borne pathogens, implementing Universal Precautions, and maintaining confidentiality of student and employee health information and records.~~

- (iv) ~~The district shall provide annual training to all school personnel concerning discrimination, confidentiality, and occupational exposure to blood borne pathogens. (29 CFR 1910, 1030).~~

- (v) ~~Policies and procedures are in place to ensure that potential crisis situations are addressed at both the district and building levels. Crisis management plans are developed and are practiced on a regular basis.~~

- (b) ~~Media Services. Districts shall ensure that media resources:~~

- (i) ~~Are available and accessible to all students and staff;~~

- (ii) ~~Are available in sufficient quantity and quality to support the achievement of student content and performance standards;~~

- (iii) ~~Are sufficient to support the development of research and information accessing skills; and~~

- (iv) ~~Provide enhanced access to information technology as described in the district's technology plan and on the timeline specified by the plan.~~

- (c) ~~Guidance Services. The district shall ensure that students have access to~~

~~guidance services which provide all students with assistance in developing and monitoring their educational and career plans through a structured, systematic individual planning system. Districts shall ensure that guidance services:~~

~~(i) Provide access to responsive services to address issues and concerns that may affect their educational, vocational and career development;~~

~~(ii) Provide assistance to students, beginning no later than eighth grade to develop educational and career plans, and includes assessment and advisement to set short and long term goals; and~~

~~(iii) Provide information about and assistance in determining post-secondary training opportunities.~~

~~**Section 20. — Verification.** All public school districts and the schools and personnel within those districts shall provide verification of compliance with these rules and regulations to the Wyoming State Board of Education annually.~~

~~**Section 21. — Accreditation Status.** All public school districts and schools within those districts shall be granted accreditation levels by the State Board of Education. (W.S. 21-2-202(e), W.S. 21-2-203(e)(ii), W.S. 21-2-304(b)(ii), and W.S. 21-2-305(a)(ii)).~~

~~(a) One of the following accreditation levels shall be granted by the State Board of Education on an annual basis:~~

~~(i) Full Accreditation. The local district and/or the schools within it have met the state accreditation standards in a fully satisfactory manner.~~

~~(ii) Accreditation With Follow-up. The local district and/or schools within it have failed to meet one or more of the standards, but the deficiency does not seriously distract from the quality of the school's educational program. Correctives are required but could reasonably be completed within a school year. The district has submitted an acceptable plan for taking corrective action indicating completion within a one-year timetable following the review year. Districts that complete all corrective actions by the end of the school year during which they are reviewed will be recommended for full accreditation upon Department verification of satisfactory completion.~~

~~(iii) Accreditation With Deficiencies. The local district and/or schools within it have failed to take corrective actions required and/or deficiencies persist over more than one year.~~

~~(iv) Conditional Accreditation. The local district and/or the schools within it have met the state accreditation standards in less than a fully satisfactory manner on half or more of the accreditation standards. Corrective actions cannot reasonably be completed within a school year.~~

~~(v) Non-Accreditation. The local district and/or the schools within it have~~

~~not met the state accreditation standards. The State Board may attach penalties on an individual basis. The local district and/or the schools within it have:~~

~~(A) Consistently failed to complete or make substantial progress towards completing corrective actions on the schedule proposed by the district and accepted by the State Board at the time of citing; Consistently violated regulations; and/or~~

~~(B) Consistently filed delinquent reports required by statute or regulation.~~

~~(vi) Emergency Change of Accreditation Status. If the local district and/or the schools within it violate State law and/or regulations which are detrimental to the health, welfare, or safety of students, and the conditions are not immediately corrected upon notice of their existence to local officials, the State Board may place the school district or school on Non-Accredited status until these conditions are corrected. Upon correction of these conditions and submission and approval of a plan to prevent a recurrence, the State Board may revise the district or school's accreditation status to Conditional for a period of time sufficient to verify implementation of the plan to prevent recurrences of the conditions.~~

~~(b) A school district may appeal a status of Non-Accreditation awarded it by the State Board of Education. A district may appeal for a reconsideration of that status to the State Board of Education within 30 days of the receipt of written notice of Non-Accreditation status.~~

## **Chapter 6**

### **District and School Accreditation**

**Section 1. Authority.** These rules are promulgated by the Wyoming State Board of Education and the Wyoming Department of Education under the authority of W.S. 21-2-304(a)(i), W.S. 21-2-202(a)(i), and W.S. 21-2-202(c).

**Section 2. Purpose.** These rules establish the state accreditation requirements for all Wyoming schools and districts.

#### **Section 3. Definitions.**

(a) “Accountability” means the system of school performance ratings established by the Wyoming Accountability in Education Act.

(b) “Accountability Framework” means the Wyoming Comprehensive Accountability Framework: Phase 1. National Center for the Improvement of Educational Assessment. (January 31, 2012) incorporated by reference into Wyoming statute per W.S. 21-2-304(a)(vi), W.S. 21-2-204(f), and W.S. 21-2-204(k).

(c) “Accreditation” means a process by which each district and each school within the district annually self-reports and is monitored by the state in order to assure compliance with statutes that are intended to improve student learning and ensure equity of opportunity to learn.

(d) “Accreditation Criteria” means the requirements established in this chapter that all districts and the schools governed by these districts must meet, as applicable, to be accredited by the State Board.

(e) “Annual Accreditation Report” means a required document with attestations and links to documents submitted annually to the Department by districts that verifies adherence to the accreditation criteria.

(f) “Compliance” means meeting or adhering to the requirements of statutes and regulations.

(g) “Evidence” means annual reports, documents, web sites, data, surveys, and other artifacts used to verify adherence to the accreditation criteria.

(h) “Instructional Core” means an education model that illustrates the relationship between the teacher, the content, and active learning or student engagement.

(i) “Improvement Plan” means a document that includes goals and strategies to meet performance objectives.

(j) “Proprietary” means a process or product that is used, produced, or marketed under exclusive legal right of any business, agency, or non-profit organization.

(k) “Statewide System of Support” means state and district assistance intended to increase school performance in accordance with W.S. § 21-2-204(h).

(l) “Verification” means confirmation that all Wyoming districts and the schools governed by these districts have met the Wyoming accreditation criteria.

(m) “Wyoming Accountability in Education Act” (WAEA) means the Wyoming school accountability system established by W.S. § 21-2-204.

(n) “Wyoming High School Activities Association” (WHSAA) means an organization that promotes, coordinates, and controls interscholastic activities in Wyoming.

**Section 4. Accreditation in General.** The State Board shall accredit Wyoming districts and the schools governed by these districts based on adherence to all applicable laws, rules, and regulations, including the Wyoming Accountability Framework, based on the recommendation of the Department.

(a) The process for accreditation of Wyoming districts and the schools governed by these districts shall include:

(i) Attestation through an accreditation report submitted to the Department by November 1 annually by the district superintendent that the district and all schools governed by the district meet the accreditation criteria.

(ii) Annual verification of district compliance with all applicable laws, rules, and regulations through review of documents, data and other evidence by the Department aligned to the accreditation criteria.

(iii) A review of the District Assessment System (DAS) every five years by the Department.

(iv) The accreditation status of the district or individual schools may be lowered by the State Board based on school performance as measured by the Wyoming Accountability in Education Act in accordance with Section 6 of this chapter.

(b) All documents and data submitted to the Department, as well as other Department verification processes, shall be considered as evidence for accreditation to reduce duplicative reporting requirements.

(c) Findings of noncompliance shall be reviewed with district superintendents annually by March 1. District superintendents shall be given until May 1 to satisfactorily address the findings without negatively impacting the accreditation level of the district or any school governed by the district.

(d) The Department shall annually make an accreditation recommendation to the State Board for all Wyoming districts and the schools governed by these districts.

(e) The duration of accreditation shall be for one year, from July 1 to the following year on June 30.

(f) The accreditation level shall be the accreditation level for the next year unless an exception is granted by the State Board.

(g) The Department shall maintain a list of accredited Wyoming schools on the Department website.

(h) No Wyoming district or the schools governed by a district shall, as a condition for state accreditation, be required to participate in any proprietary continuous improvement or school improvement process provided by the Department beyond that required by the System of Support per W.S. § 21-2-204(h) and through Federal regulations.

(i) Each district will host an on-site external review of the district and schools within the district at least once every five (5) years with the purpose of reviewing selected accreditation criteria, including the district assessment system. This includes a review of the assessment system by the Department, and may include a review of other aspects of the district system by the Department, or an external systems review by a Department-approved third-party vendor.

**Section 5. Accreditation Criteria.** The accreditation criteria and the aligned indicators summarize the requirements for Wyoming districts and schools governed by Wyoming districts.

(a) District Board. Oversight and governance for the district is provided by an elected board of trustees that determines the district purpose and goals, operates in an ethical manner, maintains up-to-date, publicly available policies and documents, and employs and evaluates a superintendent who serves as the chief administrator for the district.

(i) Board Members and Operations. An elected board provides oversight and governance for the district, establishes district policy, operates within established board duties, and adheres to a code of conduct and a code of ethics.

(ii) District Purpose and Goals. The board develops a widely shared purpose and goals, or strategic plan for the district that conveys high expectations for learning for all staff and students and is focused on improving the instructional core.

(iii) District Superintendent. A hired superintendent serves as the chief administrative officer, and implements district procedures in a cohesive manner consistent with statute, board policies, and the district strategic plan. The superintendent is evaluated by the District Board.

(b) District Leadership. District administrators, including principals, manage district operations and provide instructional guidance. District administrators are evaluated in a manner

consistent with Wyoming statute and regulations. The district superintendent or their representative provides assistance with school improvement planning and resource allocation for schools that need improvement.

(i) District and School Accreditation. District and school leaders annually self-evaluate to ensure the district and all schools within the district meet all applicable Wyoming accreditation criteria and the aligned requirements of statute.

(ii) District Leader Evaluation. District and school leaders are evaluated by the district superintendent in a manner consistent with statute and board policy. This includes annual submission of a review of the district leader evaluation system for districts with schools that are partially meeting and not meeting expectations per W.S. 21-2-204(h)(v) & (vi).

(iii) School Improvement Representative. The district superintendent or a designated representative provides assistance with improvement planning and resource allocation for schools identified as in need of improvement through the Wyoming accountability system.

(c) School Leadership. Principals provide administrative management and instructional leadership, including the evaluation of teachers and other instructional staff in accordance with Wyoming regulations, for the school(s) to which they are assigned.

(i) Principal Roles and Responsibilities. The district defines the roles and responsibilities of principals, including establishing a positive culture, instructional leadership, and school administration.

(ii) Teacher Evaluation. Teachers are evaluated by principals in a manner consistent with statute and board policy.

(d) Stakeholder Communication and Input. The district and all schools within the district communicate with and solicit input and feedback from stakeholders, and use the input to improve district and school processes.

(e) Employment and Certification. All personnel are hired and evaluated in accordance with Wyoming statute and district policies.

(i) Teacher Employment. District employment policies and practices ensure that quality applicants are hired for all instructional positions.

(ii) Certification and Assignment. All personnel that require certification have a current or pending certificate issued by the Wyoming Professional Teaching Standards Board, and their assignment is consistent with their area of endorsement.

(iii) Education Support Personnel. Education support personnel are employed in a manner consistent with district policy that ensures qualified support staff.

(iv) Compliance Training. District personnel receive compliance training as required by statute.

(f) Professional Development. The district professional development plan is designed to increase the capacity, collaboration, and collective efficacy of instructional staff and leaders to improve the instructional core. Professional development is regularly conducted, is relevant to daily work and content areas, and involves active work among colleagues.

(g) State Assessment and Accountability. All schools in the district administer Wyoming statewide assessments and receive a school performance rating annually in accordance with the Wyoming Accountability in Education Act (WAEA).

(h) School Improvement and Support. Schools identified as partially meeting or not meeting expectations assess needs using WAEA indicator data, write improvement goals aligned with the applicable WAEA indicators, develop improvement plans that are annually approved by the district and submitted to the Department, and participate in the Statewide System of Support if requested to do so by the Department.

(i) Data Review/Needs Assessment. Results from the Wyoming accountability system as well as other data are used to identify school improvement goals and priorities.

(ii) School Improvement Plans. School improvement plans are written, submitted to the district and the Department, implemented, and routinely updated by school leaders and staff for schools designated as in need of improvement.

(iii) Small School Improvement Plans. Schools that do not have at least ten students on at least two WAEA indicators will annually submit an improvement plan to the Department that includes strategies to improve student achievement, growth, and equity.

(iv) Statewide System of Support. Leadership teams for schools designated as priority schools by the Department participate in the system of support in accordance with statute.

(i) Programs, Standards, and Curriculum. Educational programs in the district are sufficient for all students to meet the uniform Wyoming Content and Performance Standards in all content areas.

(i) Education Programs and Standards. The curriculum in all content areas is aligned to and inclusive of the Wyoming Content and Performance Standards.

(ii) Math and Literacy Focus. Math and literacy are a high priority in the elementary grades.

(iii) College and Career Preparation. Coursework and guidance provided is sufficient to prepare students for college, career, and successful citizenship.

(iv) Other Curricular Requirements. The district curriculum addresses other curricular requirements included in Wyoming statute.

(j) District Assessment System. Through a balanced student assessment system, the district verifies that Wyoming Content and Performance Standards are taught and assessed in all content areas. Assessment results are used to set goals, make instructional decisions and monitor student progress. The assessment system is continuously refined and updated by the district, and is formally reviewed every five years by the Department. The assessment system may be reviewed more frequently by the Department for districts with schools that are partially meeting or not meeting expectations.

(k) Instructional Methods. The district has implemented a coherent instructional system and a shared instructional process or framework that defines high leverage teaching methods instructional staff use to engage students in the subject matter in all content areas across the district.

(i) District Instructional System. The district has a coherent approach, model, or system for aligning curriculum, assessment, instruction, learning support and other aspects of the instructional program.

(ii) Instructional Framework. The district has identified high leverage instructional strategies, intended to increase student engagement and active learning that should be observed in all classrooms across the district.

(iii) Teacher Expertise. Individual teacher professional growth is focused on the development of instructional expertise specific to the grade level or content area.

(l) Learning Supports. Assessment results are used to monitor student progress and assign students in need of intervention to multi-tiered supports. The district is in compliance with all State and Federal Special Education laws. The district addresses the individual learning needs of English learners.

(i) Student Learning Support. Individual student needs are addressed through a structured process that includes interventions and enrichment for all students. (i.e. Response to Intervention or Multi-Tiered System of Support).

(ii) Reading Assessment and Intervention. The district reading assessment and intervention plan includes multi-tiered supports, a screening program, progress monitoring, individual student reading plans, and individual school plans in accordance with W.S. 21-3-401.

(iii) Students with Disabilities. Specialized staff, differentiated instruction, and evidence-based interventions are provided for Students with Disabilities in accordance with Wyoming and Federal statute.

(iv) English Learners. The district provides support by qualified staff to address language barriers for English learners.

(v) Gifted and Talented. The district offers instruction that addresses the individual learning needs of gifted students.

(vi) Student Support Services. The district offers additional student supports including guidance counseling and social services, and instruction for hospitalized and homebound students.

(vii) Family Engagement. The district has adopted and implemented strategies to engage families at all levels in their children's learning.

(m) At-Risk and Dropout Prevention. The district has an early warning system to identify at-risk students, and has implemented dropout prevention strategies.

(i) Early Warning Systems. The district has data systems in place to monitor factors that are early predictors of dropout.

(ii) Compulsory Attendance. The district and all schools monitor student absenteeism and intervene as soon as a student becomes chronically absent.

(iii) Dropout Prevention Strategies. The district has implemented dropout prevention strategies.

(n) School Culture, Climate, and Safety. The district has a plan for promoting positive school culture and learning environments that are safe, orderly, and conducive to learning for all students.

(i) School Culture and Climate. The culture and climate in all schools is designed to ensure positive relationships and decrease harassment, intimidation, and bullying.

(ii) School Safety. All schools use multiple strategies to ensure the physical safety of students. These are defined in a district crisis management plan.

(o) Student Activities. Students are encouraged to participate in activities, clubs, organizations, field trips, and school-sponsored events that extend learning beyond the classroom. WHSAA sanctioned activities and athletics are made available to all high school-age individuals that reside in the district.

(p) High School Graduation. High school graduates satisfactorily complete coursework that meets or exceeds the minimum requirements established by the State Board.

(q) Technology and Media. District technology includes internet connectivity. Technology, library, and media services meet the research, learning, and information management needs of students and staff.

(r) Virtual Education. If virtual education is provided by the district, the virtual courses meet all state requirements in accordance with Chapter 41 Rules and Regulations.

(s) Buildings and Facilities. All schools and other district buildings are constructed and maintained in accordance with Wyoming School Facilities Department guidelines and other regulations that govern the safety and security of Wyoming public buildings.

(t) Student Health. Personnel and processes, including prevention programs, are in place to address the physical and mental health needs of all students enrolled in the district.

(u) Calendars and Schedules. The number of school days, hours of student teacher contact, alternative calendars, days of observance and mourning, scheduled holidays, and reports of school closure are in accordance with Wyoming statute, rules and regulations.

(v) Transportation. The district provides student transportation to and from school and provides student transportation for interscholastic activities in accordance with applicable laws, rules, and regulations.

(w) Food Services. The district adheres to Wyoming and Federal regulations and guidelines related to the sanitation of food service facilities and the quality and nutritional value of food provided to students. Free and reduced cost meals are provided based on the income of parents or guardians.

(x) Finance and Data. District finances are managed and routinely audited in accordance with Wyoming and Federal regulations, and accurate data are collected and reported to the Department in a timely manner.

(y) Student Information Management. Student information, records, identification, attendance calculations, enrollment and transfers are conducted in accordance with statute.

**Section 6. Accreditation Status.** All public school districts and schools within those districts shall be granted accreditation levels by the State Board.

(a) One of the following accreditation levels shall be granted by the State Board on an annual basis:

(i) Accredited. The district has met all applicable state accreditation criteria based on the Department annual review of evidence or the most recent external review. With the exception of schools identified as accredited with support in accordance with Section 7 of this chapter, the school accreditation level shall be the same as the district accreditation level.

(ii) Accredited With Follow-up. The district has not met one or more of the applicable accreditation criterion, and has not addressed the concern during the grace period described in Section 4(c) of this chapter. Districts that are accredited with follow-up will be

recommended for full accreditation to the state board upon Department verification that the district has met the criteria.

(iii) Accredited With Support. The district failed to meet one or more of the applicable criteria for more than one year. Schools and districts may also be accredited with support based on WAEA school performance level in accordance with Section 6 of this chapter. A district or school may remain at the level of accredited with support indefinitely.

(iv) Non-Accredited. Upon the recommendation of the Department and a majority vote of the State Board, a district that has been at the level of accredited with support for two or more years may be designated as non-accredited by the State Board.

(A) This decision shall be based on refusal or inability of the district to address the issues of non-compliance that caused the district to be at the level of accredited with support and shall not be based solely on school performance.

(B) The State Board may raise the status of a district from *non-accredited* to *accredited with support* based on a majority vote if the district has addressed the issues of non-compliance in a manner deemed satisfactory by the Department.

(C) The State Board and State Superintendent may take appropriate administrative action against any Wyoming district or any school governed by the district for non-accreditation.

#### **Section 7. School Accreditation Status.**

(a) The State Board may lower the annual accreditation status for an individual school based on WAEA school performance level per W.S. § 21-2-304(b)(ii). This shall include:

(i) An accreditation status of “accredited with support” for any school that is not meeting expectations for three or more consecutive more years. The first year of identification will be 2020-21 with the initial accountability level derived from the spring 2018 state assessment.

(ii) An accreditation status of “accredited with support” for any district in which every school in the district is not meeting expectations for three or more consecutive years. The first year of identification will be 2020-21 with the initial accountability level derived from the spring 2018 state assessment.

My comment is...	Proposed Agency Response
<p>Accreditation should include standards for student health, at the very least with staffing of school nurses and optimally laying out the basics of policies to promote health and addressing health issues.</p>	<p>The proposed rules include a requirement that personnel and processes are in place to ensure physical and mental health needs of all students are met.</p> <p><b>No Change</b></p>
<p>This Chapter includes requirements of boards to evaluate superintendents. I would like to see that requirement applied to boards of charter schools, which have CEOs that act in the role of superintendent. They are public schools, and their management should be evaluated.</p>	<p>Requirements for Wyoming charter schools can be found in Education Rules, Chapter 32.</p> <p><b>No Change</b></p>



# Certification Page Regular and Emergency Rules

Revised September 2016

**Emergency Rules** *(After completing all of Sections 1 through 3, proceed to Section 5 below)*

**Regular Rules**

## 1. General Information

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address	h. Adoption Date	
i. Program		

## 2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No.  Yes. Please provide the Enrolled Act Numbers and Years Enacted:

## 3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.  
*(Please use the Additional Rule Information form for more than 10 chapters and attach it to this certification)*

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

**3. State Government Notice of Intended Rulemaking**

- a. Date on which the Proposed Rule Packet (consisting of the Notice of Intent as per W.S. 16-3-103(a), Statement of Principal Reasons, strike and underscore format and a clean copy of each chapter of rules were:
- approved as to form by the Registrar of Rules; and
  - provided to the Legislative Service Office and Attorney General:

**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.  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:
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- c. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

**5. Final Filing of Rules**

- a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature:
- b. Date on which final rules were approved as to form by the Secretary of State and sent to the Legislative Service Office:
- c.  The Statement of Reasons is attached to this certification.

**6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	
Printed Name of Signatory	
Signatory Title	
Date of Signature	

**7. Governor's Certification**

I have reviewed these rules and determined that they:

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	

**CHAPTER 10**  
**WYOMING CONTENT AND PERFORMANCE STANDARDS**  
**STATEMENT OF REASONS**

Pursuant to Wyo. Stat. § 21-2-304(a)(iii), the Wyoming State Board of Education must prescribe uniform student content and performance standards for the common core of knowledge specified by Wyo. Stat. § 21-9-101(b)(i). The common core of knowledge includes Reading/Language Arts, Social Studies, Mathematics, Science, Fine and Performing Arts, Physical Education, Health and Safety, Humanities, Career/Vocational Education, Foreign Cultures and Languages, Applied Technology, and Government and Civics.

After careful consideration, and with support from members of the Standards Review Committee and input from school districts and the public at large, the Wyoming State Board of Education approved proposing the following amendments to the standards on April 20, 2018.

The Board is promulgating revised rules for the Wyoming Content and Performance Standards for the content areas of Mathematics and Social Studies. These standards define the knowledge and skills students should know and be able to do throughout their K-12 education so they can graduate from high school able to succeed in college and career. The Science Extended Standards for students with significant cognitive disabilities are also being promulgated. These standards were built from the general science standards which were approved in 2016 and extend the standards to make them accessible to those students with the most significant cognitive disabilities.

In developing the standards for each of the content areas of Mathematics, Social Studies, and Science Extended Standards, the Wyoming Department of Education, on the Board's behalf, convened a standards review committee composed of 18-40 members, which included educators, professors, parents, and business/community members. The Math Standards Review Committee

had 40 members; the Social Studies Review Committee had 25 members; and the Science Extended Review Committee had 18 members. Prior to the committee's first meeting, the Department collected input online and held five community input meetings to inform the public of the upcoming review process and to solicit information for the standards review committees' consideration. Following the work of the committee, the Department also collected input online and held five public input hearings, plus an additional public meeting in Fremont County on the Social Studies Proposed Standards, to inform the public and gather feedback from the public for the Board's consideration when voting whether to adopt the proposed standards in the content areas of Mathematics, Social Studies, and Science Extended.

Additional changes to these rules include the following, which will ultimately simplify and reduce the length of these rules:

- removing past approval dates, which are no longer relevant and potentially confusing to readers (the date the standards were developed is more salient for users);
- removing the implementation dates, which are already explicit in the standards document;
- adding reference to the 2018 Science Extended Standards
- replacing reference to 2012 Math Standards with 2018 Math Standards
- replacing reference to 2014 Social Studies Standards with 2018 Additions to Social Studies Standards
- changing how standards are identified by including the year of adoption in the title of the content standards. Previously, they were identified in the rules by date of amendment. Moving forward, it is simpler and clearer to appropriately title the

standards document being incorporated and identify the matter by its title. For example, the most recent science standards are identified as the “2016 Wyoming Science Content and Performance Standards.” The agency believes this practice is more logical and accessible to the public.

The Board previously revised the process for compiling public comments to more adequately inform the public of the nature of the comments and the reasons for either adopting or rejecting the comment. This process includes articulating comments separately even if they were part of a single submission that addressed several topics, grouping substantially identical comments together with a single response, and organizing the comments and responses into comment, discussion, and changes sections. These changes should make it easier to understand the comments received and the agency's response to those comments. Comments received in this rulemaking will be addressed accordingly.

These rules meet the minimum substantive state statutory requirements and are within the Board and Department’s statutory authority. No part of this action should be interpreted as any attempt to dictate curriculum at the local or state level.

**Wyoming Department of Education**  
**Chapter 10**  
**Wyoming Content and Performance Standards**

**Section 1. Authority.** These rules and regulations are promulgated pursuant to W.S. 21-2-304(a)(i), (ii), (iii), and (iv).

**Section 2. Applicability.** These rules and regulations pertain to the uniform student content and performance standards for the common core of knowledge and the common core of skills specified under W.S. 21-9-101(b).

**Section 3. Definitions.**

(a) “Common Core of Knowledge” means areas of knowledge each student is expected to acquire at levels established by the state board of education. W.S. 21-9-101(b)(i) This includes the nine content areas listed in subsection (c) and Health and Safety, Humanities, Applied Technology, and Government and Civics.

(b) “Common Core of Skills” means skills each student is expected to demonstrate at levels established by the state board of education. W.S. 21-9-101(b)(iii). These skills may be integrated into the uniform student content and performance standards for the Common Core of Knowledge. This includes Problem Solving, Interpersonal Communications, Keyboarding and Computer Applications, Critical Thinking, Creativity, and Life Skills, including Personal Financial Management Skills.

(c) “Content and Performance Standards” means standards that include the K-12 content standards, benchmark standards, and the performance standards with performance level descriptors established for the Common Core of Knowledge and Common Core of Skills. W.S. 21-2-304(a)(iii) The nine content areas are as follows:

- (i) English Language Arts (ELA)
- (ii) Mathematics
- (iii) Science
- (iv) Social Studies
- (v) Health
- (vi) Physical Education

- (vii) Foreign Language
- (viii) Career & Vocational Education
- (ix) Fine & Performing Arts

(d) “Wyoming Extended Standards” also interchangeable with “Wyoming Standards Extensions” means standards for students with the most significant cognitive disabilities that show a clear link to the content standards for the grade in which the student is enrolled, although the grade-level content may be reduced in complexity or modified to reflect pre-requisite skills.

#### **Section 4. Uniform Student Content and Performance Standards.**

(a) Uniform student content and performance standards, including standards for graduation, are hereby incorporated by reference pursuant to W.S. 16-3-103(h) and include the following:

(i) 2012 Wyoming Language Arts Content and Performance Standards as approved by the Wyoming State Board of Education on April 27, 2012;

(A) 2012 Wyoming Language Arts Content and Performance Standards amended on April 27, 2012 shall be fully implemented on or before the first day of the 2015-2016 school year.

(B) The 2014 Language Arts Performance Level Descriptors, as incorporated by reference, shall be the Wyoming Language Arts Performance Standards for the 2012 Wyoming Language Arts Content Standards.

(C) The 2014 Wyoming Language Arts Extended Standards for students with significant cognitive disabilities, as incorporated by reference, shall be fully implemented on or before the first day of the 2017-18 school year.

(D) The Wyoming Language Arts Content and Performance Standards, Performance Level Descriptors, and Extended Standards are available at <https://edu.wyoming.gov/educators/standards/language-arts>.

(ii) 20128 Wyoming Mathematics Content and Performance Standards as approved by the Wyoming State Board of Education on April 27, 2012; available at <https://edu.wyoming.gov/educators/standards/mathematics>.

~~(A) 2012 Wyoming Mathematics Content and Performance Standards amended on April 27, 2012 shall be fully implemented on or before the first day of the 2015-2016 school year.~~

(A) The 2014 Mathematics Performance Level Descriptors, as incorporated by reference, shall be the Wyoming Mathematics Performance ~~Standards for the 2012 Wyoming Mathematics Content Standards~~.

(B) The 2014 Wyoming Mathematics Standards Extensions for students with significant cognitive disabilities, as incorporated by reference, shall be fully implemented on or before the first day of the 2017-18 school year.

(C) The Wyoming Mathematics Content and Performance Standards, Performance Level Descriptors, and Standards Extensions are available at <https://edu.wyoming.gov/educators/standards/mathematics>.

(iii) 2016 Wyoming Science Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/science>.

(A) The 2018 Wyoming Science Extended Standards for students with significant cognitive disabilities are available at <https://edu.wyoming.gov/downloads/standards/2018/Science-Extended-Standards.pdf>.

(iv) 2014 with 2018 Additions Wyoming Social Studies Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/social-studies>.

(v) 2012 Wyoming Health Content and Performance Standards as approved by the Wyoming State Board of Education on April 27, 2012;

(A) 2012 Wyoming Health Content and Performance Standards amended on April 27, 2012 shall be fully implemented on or before the first day of the 2015-2016 school year.

(B) The Wyoming Health Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/health-education>.

(vi) 2014 Wyoming Physical Education Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/physical-education>.

(vii) 2013 Wyoming Foreign Language Content and Performance Standards as approved by the Wyoming State Board of Education on May 8, 2013;

(A) 2013 Wyoming Foreign Language Content and Performance Standards amended on May 8, 2013 shall be fully implemented on or before the first day of the 2016-2017 school year.

(B) The Wyoming Foreign Language Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/foreign-language>.

(viii) 2014 Wyoming Career/Vocational Education Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/career-vocational>.

(ix) 2013 Wyoming Fine and Performing Arts Content and Performance Standards as approved by the Wyoming State Board of Education on May 8, 2013;

(A) 2013 Wyoming Fine and Performing Arts Content and Performance Standards amended on May 8, 2013 shall be fully implemented on or before the first day of the 2016-2017 school year.

(B) The Wyoming Fine and Performing Arts Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/arts>.

(b) The above-referenced content and performance standards are available at the Wyoming Department of Education website at <https://edu.wyoming.gov> (or at cost of production) from the Wyoming Department of Education, ~~2300 Capitol Avenue, Hathaway Building, 2<sup>nd</sup> Floor,~~ 122 E. 25<sup>th</sup> Street, Suite E200, Cheyenne, WY 82002.

(c) The above-referenced content and performance standards are the most current editions.

(d) The above performance standards that are incorporated by reference do not include any amendments to or editions of the standards since the effective date of this rule.

## **Chapter 10**

### **Wyoming Content and Performance Standards**

**Section 1. Authority.** These rules and regulations are promulgated pursuant to W.S. 21-2-304(a)(i), (ii), (iii), and (iv).

**Section 2. Applicability.** These rules and regulations pertain to the uniform student content and performance standards for the common core of knowledge and the common core of skills specified under W.S. 21-9-101(b).

#### **Section 3. Definitions.**

(a) “Common Core of Knowledge” means areas of knowledge each student is expected to acquire at levels established by the state board of education. W.S. 21-9-101(b)(i) This includes the nine content areas listed in subsection (c) and Health and Safety, Humanities, Applied Technology, and Government and Civics.

(b) “Common Core of Skills” means skills each student is expected to demonstrate at levels established by the state board of education. W.S. 21-9-101(b)(iii). These skills may be integrated into the uniform student content and performance standards for the Common Core of Knowledge. This includes Problem Solving, Interpersonal Communications, Keyboarding and Computer Applications, Critical Thinking, Creativity, and Life Skills, including Personal Financial Management Skills.

(c) “Content and Performance Standards” means standards that include the K-12 content standards, benchmark standards, and the performance standards with performance level descriptors established for the Common Core of Knowledge and Common Core of Skills. W.S. 21-2-304(a)(iii) The nine content areas are as follows:

- (i) English Language Arts (ELA)
- (ii) Mathematics
- (iii) Science
- (iv) Social Studies
- (v) Health
- (vi) Physical Education
- (vii) Foreign Language

(viii) Career & Vocational Education

(ix) Fine & Performing Arts

(d) “Wyoming Extended Standards” also interchangeable with “Wyoming Standards Extensions” means standards for students with the most significant cognitive disabilities that show a clear link to the content standards for the grade in which the student is enrolled, although the grade-level content may be reduced in complexity or modified to reflect pre-requisite skills.

#### **Section 4. Uniform Student Content and Performance Standards.**

(a) Uniform student content and performance standards, including standards for graduation, are hereby incorporated by reference pursuant to W.S. 16-3-103(h) and include the following:

(i) 2012 Wyoming Language Arts Content and Performance Standards as approved by the Wyoming State Board of Education on April 27, 2012;

(A) 2012 Wyoming Language Arts Content and Performance Standards amended on April 27, 2012 shall be fully implemented on or before the first day of the 2015-2016 school year.

(B) The 2014 Language Arts Performance Level Descriptors, as incorporated by reference, shall be the Wyoming Language Arts Performance Standards for the 2012 Wyoming Language Arts Content Standards.

(C) The 2014 Wyoming Language Arts Extended Standards for students with significant cognitive disabilities, as incorporated by reference, shall be fully implemented on or before the first day of the 2017-18 school year.

(D) The Wyoming Language Arts Content and Performance Standards, Performance Level Descriptors, and Extended Standards are available at <https://edu.wyoming.gov/educators/standards/language-arts>.

(ii) 2018 Wyoming Mathematics Content and Performance Standards available at <https://edu.wyoming.gov/educators/standards/mathematics>.

(A) The 2014 Mathematics Performance Level Descriptors, as incorporated by reference, shall be the Wyoming Mathematics Performance Standards.

(B) The 2014 Wyoming Mathematics Standards Extensions for students with significant cognitive disabilities, as incorporated by reference, shall be fully implemented on or before the first day of the 2017-18 school year.

(C) The Wyoming Mathematics Content and Performance Standards, Performance Level Descriptors, and Standards Extensions are available at <https://edu.wyoming.gov/educators/standards/mathematics>.

(iii) 2016 Wyoming Science Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/science>.

(A) The 2018 Wyoming Science Extended Standards for students with significant cognitive disabilities are available at <https://edu.wyoming.gov/downloads/standards/2018/Science-Extended-Standards.pdf>.

(iv) 2014 with 2018 Additions Wyoming Social Studies Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/social-studies>.

(v) 2012 Wyoming Health Content and Performance Standards as approved by the Wyoming State Board of Education on April 27, 2012;

(A) 2012 Wyoming Health Content and Performance Standards amended on April 27, 2012 shall be fully implemented on or before the first day of the 2015-2016 school year.

(B) The Wyoming Health Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/health-education>.

(vi) 2014 Wyoming Physical Education Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/physical-education>.

(vii) 2013 Wyoming Foreign Language Content and Performance Standards as approved by the Wyoming State Board of Education on May 8, 2013;

(A) 2013 Wyoming Foreign Language Content and Performance Standards amended on May 8, 2013 shall be fully implemented on or before the first day of the 2016-2017 school year.

(B) The Wyoming Foreign Language Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/foreign-language>.

(viii) 2014 Wyoming Career/Vocational Education Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/career-vocational>.

(ix) 2013 Wyoming Fine and Performing Arts Content and Performance Standards as approved by the Wyoming State Board of Education on May 8, 2013;

(A) 2013 Wyoming Fine and Performing Arts Content and

Performance Standards amended on May 8, 2013 shall be fully implemented on or before the first day of the 2016-2017 school year.

(B) The Wyoming Fine and Performing Arts Content and Performance Standards are available at <https://edu.wyoming.gov/educators/standards/arts>.

(b) The above-referenced content and performance standards are available at the Wyoming Department of Education website at <https://edu.wyoming.gov> (or at cost of production) from the Wyoming Department of Education, 122 E. 25<sup>th</sup> Street, Suite E200, Cheyenne, WY 82002.

(c) The above-referenced content and performance standards are the most current editions.

(d) The above performance standards that are incorporated by reference do not include any amendments to or editions of the standards since the effective date of this rule.

Comment on Proposed 2018 Wyoming Social Studies Content & Performance Standards						
Timestamp	Name (First & Last)	Town of Residence	Email address or Phone #	My Comment is ... (if making comment on more than one item, please identify in your comments)	WDE NOTES	Suggested Response
5/15/2018 8:45:49 AM	Joe Samuelson	Upton	jsamuelson@weston7.org	<p>I love the idea of incorporating Native American history standards into our curriculum! However, my only problem is the sheer number of standards being added without the subtraction of any other. I have already been frustrated with our standards, as they are extremely complicated, and I feel these will make it worse.</p> <p>Currently our standards demand a high level of thinking for our students as they are asked to analyze, create, and evaluate. This is great! However, for many of the standards, they include so many parts and details, that they really need simplified. Let's stick with the high level of thinking, however, the verbiage used in many of these standards only makes it confusing for students, parents and teachers. The standards include so many parts and details, it becomes very hard to get students to proficiency. The simple use of the word "and" can entirely change the way one would approach a standard and limits teacher's flexibility.</p> <p>To give an example of what I am talking about, SS8.5.2 is one that I have wrestled with and am not sure how to go about it in my classroom. "Analyze and evaluate how physical changes influenced historical events and participate in collaborative problem solving and decision making in the selection of professional and personal choices." The complexity of this standard, and ones like it, limits me as a teacher. It is also far too complex and makes it extremely difficult to try and reach the rest of the standards (let alone new ones about to be added). To break it down, the standard asks students to "analyze and evaluate". This is just one example of, to me, unneeded complexity to an already difficult standard. If the "and" were an "or", it wouldn't be a problem. Further still, the "physical changes" portion has stumped me and my colleagues. I love how the new standards have changed that portion to "features" because that is much easier to understand. However, it never removed the "physical changes" part! The standard has become more complex now being written as "physical features and changes". Again, "and" adds to the difficulty of the standards. The standard also requires students to work together collaboratively "problem solving AND decision making". And finally, to continue the trend, the standard ends with "professional AND personal choices". Now, I don't have a problem with any of these parts by themselves, but when they are all put together in one standard, it becomes nearly impossible to fulfill the standard adequately and in a timely manner.</p> <p>A more appropriate writing of this standards should look like, "Participate in collaborative decision making to analyze how physical changes influence historical choices." Something on these lines still requires students to work together, think at a high level, and really get to the point of the standard. But when all the other verbiage is added, I feel it takes students away from the point of the standard. Rather than diving deep into the topic at hand.</p> <p>I am not ready to add more standards, or more to the standards, without first addressing the complexity of the current standards. If we are going to add standards or to current standards, we should retract at least the same amount as well.</p>	<p>This comment cites one benchmark (8.5.2) as being far too complex, but the writer's point is that there are several benchmarks like that one that need to be improved (simplified). This is a preferential edit and not based on any substantial issues with the work of the committee.</p>	<p>This is a preferential edit. No change is required.</p>

Comment on Proposed 2018 Wyoming Mathematics Content & Performance Standards						
Timestamp	Name (First & Last)	Town of Residence	Email address or Phone #	My Comment is ... (if making comment on more than one item, please identify in your comments)	WDE - Suggested Response for SBE	Suggested Response
5/15/2018 8:35:12 AM	Andrea Hayden	Laramie	ahayden@acs d1.org	<p>I am NOT a fan of the new format. I think it is very cumbersome to have each standard on its own page and have all that extra "stuff" included in the standards document. It's annoying to have to go through 29(!) pages for my grade level standards. And since I work with multiple grade levels, I'm managing even more pages than that.</p> <p>While there may be some benefit to the additions, I think it would be better to have a clean, simple standards document, and then provide an additional document with the mapping of the SMPs and the cross-content connections. I think that would be MUCH more user friendly.</p> <p>I dislike the changes to the coding of the standards as that means our coding system will no longer match the CCSS system - making it confusing and harder to align with resources, assessments outside the state, etc. I don't know what the rationale was for doing that, but it seems more problematic than helpful or useful.</p> <p>As with the science standards, I also think much of the "cross disciplinary connections" is more confusing and problematic than it is helpful. Some of the "connections" seem tangential at best and don't seem to do justice to the intent of the standard. I think that will foster more misconceptions about the standards than it will provide useful resources. And the SMPs don't always seem to be carefully chosen either. For example, 4.MD.K.5 is only mapped to MP6 (not reasoning or structure) and 4.MD.K.6 is mapped to precision but not to using tools MP5 (even though protractors are specifically mentioned in the description of that SMP on the 4th grade cover page). I also noticed that the 4th grade math standards are connected with 3rd grade ELA, and 5th grade has some errors (ex - L.5.4 says 3rd grade vocabulary). That makes this document feel far from publication readiness. It definitely gets a "no" vote from me.</p>	<p>The WDE will provide a vertical alignment of the standards and will separate the standards into individual grade levels to allow for smaller and more manageable documents.</p> <p>The coding is aligned to our current blueprints. Wyoming has stepped away from aligning directly to common core standards. Common core resources can be found without a coding system using only the standard (e.g. G.CO.1).</p>	<p>This is a preferential edit. No change is required.</p>

Comment on Proposed 2018 Wyoming Science Extended Content & Performance Standards
No comments were received



# Certification Page Regular and Emergency Rules

Revised September 2016

**Emergency Rules** *(After completing all of Sections 1 through 3, proceed to Section 5 below)*

**Regular Rules**

## 1. General Information

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address	h. Adoption Date	
i. Program		

## 2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No.  Yes. Please provide the Enrolled Act Numbers and Years Enacted:

## 3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.

(Please use the Additional Rule Information form for more than 10 chapters and attach it to this certification)

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

**3. State Government Notice of Intended Rulemaking**

- a. Date on which the Proposed Rule Packet (consisting of the Notice of Intent as per W.S. 16-3-103(a), Statement of Principal Reasons, strike and underscore format and a clean copy of each chapter of rules were:
- approved as to form by the Registrar of Rules; and
  - provided to the Legislative Service Office and Attorney General:

**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.  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:
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- c. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

**5. Final Filing of Rules**

- a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature:
- b. Date on which final rules were approved as to form by the Secretary of State and sent to the Legislative Service Office:
- c.  The Statement of Reasons is attached to this certification.

**6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	
Printed Name of Signatory	
Signatory Title	
Date of Signature	

**7. Governor's Certification**

- I have reviewed these rules and determined that they:
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	

## **Chapter 31 Wyoming Graduation Requirements**

### **STATEMENT OF REASONS**

2015 SEA No. 87 (2015 Session Laws, Chapter 179) eliminated the tiered diploma system, which required providing one of three endorsement levels on a student's high school transcript. The removal of the tiered diploma system required the State Board of Education to revise the Chapter 31 graduation requirements rules. The revisions to Chapter 31 are intended to set minimum requirements for graduation from any public high school within any school district of this state, identify the required components of each district's assessment system to measure student proficiency on courses taken for the attainment of a high school diploma, and establish a consultation process between the State Board of Education (SBE) and local school districts regarding the creation of local high school diploma requirements.

The primary substance of these rules is contained in three sections: Section 4. High School Diploma Requirements; Section 5. District Assessment System; and, Section 6. Consultation with Local School Districts.

#### **Section 4. High School Diploma Requirements**

The proposed revisions establish the minimum requirements for any student to receive a high school diploma from any Wyoming school district. The minimum requirements are to be incorporated within each district's high school diploma policy and include the following components: (1) minimum coursework in the content areas of math, English/language arts, science, and social studies; (2) a passing grade on an exam of the principles of the constitution of the United States and Wyoming; and, (3) evidence of proficient performance, as measured by the district's assessment system, in the courses students take to obtain a high school diploma. Section 4 also requires each school district to establish and implement policies for their local high school diploma requirements.

##### *(a)(i) Coursework*

The proposed rules contain three notable differences from previous versions. The first is the inclusion of computer science as an avenue for meeting the science graduation requirement. The second is the allowance of high school-level courses taken before grade nine (9) to count toward coursework required for graduation. The third is the allowance of "functional equivalents" to count toward coursework required for graduation. Examples of functional equivalents include (a) courses that offer the same content under a different course name (i.e. a local course called "Awesome Math" includes the same content as Algebra I), (b) courses that are more rigorous than a specific graduation requirement (i.e. "Pre-Calculus" relies on concepts from Algebra I, therefore it is a functional equivalent of Algebra I), or (c) courses that are aligned to specific standards in other content areas (i.e. a district's "Food Science" course might be aligned to 80% of the standards identified in Chemistry, so it is a functional equivalent of Chemistry). The third option described for functional equivalents does not take teacher certification requirements into account.

(a)(iii) Evidence of Proficient Performance

The minimum requirements for a student to earn a high school diploma include successful completion of the coursework prescribed by the SBE and local school districts. Chapter 31 directs each district to create a diploma policy that requires students to demonstrate *proficient* performance on the state standards in order to receive credit toward the attainment of a high school diploma. Determination of proficient performance is aligned to the parameters (i.e. benchmarks and performance level descriptors) set forth in the Chapter 10 Education Rules, “Wyoming Content and Performance Standards” (state standards). Benchmarks (what students should know) and performance level descriptors (how well they should know it) are described for each of the content areas. Together, the benchmarks and performance level descriptors (PLDs) provide a framework that supports a progression of learning from the time students enter Wyoming public schools until they complete high school and earn a diploma. The content and structure of the state standards in Chapter 10 Education Rules ensure equity of graduation requirements among all Wyoming high schools.

(b)(i) District Policy for Course Credit

Districts set their own policies for credit-awarding decisions. They have the autonomy to determine when and how to award credits, including credits for repeat courses, out-of-district transfer courses, college-level courses, and so on. The same autonomy is applied to competency-based equivalency exams described in (b)(ii).

**Section 5. District Assessment System**

In order to ensure an educational program is in compliance with W.S. 21-3-110(a)(xv), Chapter 31 directs each school district to design and implement an assessment system that is aligned to the state standards in all content areas. Additionally, a district’s assessment system must be applied uniformly across the grades and content areas. For high school, W.S. 21-2-304(a)(iii) directs school districts to identify and provide courses that are required to earn a diploma, to develop and implement a local assessment system to measure student learning in those courses, and to establish minimum thresholds for student performance as evidence that the standards have been met. As previously described, benchmarks and PLDs are the markers districts use to determine whether proficiency in the content areas has been met.

It is important to note that the law requires districts to design their assessment systems so that student-level performance can be determined in all *content areas* [W.S. 21-3-110(a)(xxiv)]. Content areas must be aligned to the state standards, but there is no statutory language directing districts to assess a student in every single grade level. In other words, a district may choose to assess students at specific points throughout their educational experience. For example, the current standards for English/language arts include the following benchmark in kindergarten reading: “[Students can] read common high-frequency words by sight (e.g., the, of, to, you, she, my, is, are, do, does).” The same content standard (reading) in third grade describes “[knowing and applying] grade-level phonics and word analysis skills in decoding words [to include] decoding multi-syllable words” as an appropriate benchmark. In this example, a district may choose to assess this particular reading standard (phonics and word recognition) once, twice, or any number of times between kindergarten and third grade to measure student learning relative to the standard. It is also important to note that an *assessment system* is comprised of more than just tests or exams. In Chapter 31, “assessment” is defined as a process that includes gathering and

analyzing evidence of what students know and are able to do. Evidence may come in the form of homework assignments, informal observations, hands-on projects, classroom speeches or demonstrations, essays, and so on. It is in this context that a district's assessment system is reviewed by the Wyoming Department of Education (WDE) at least once every five years to ensure that the district has a systematic way to assess and evaluate how a student is doing relative to the standards in a given content area.

In addition to the five-year on-site review, any district with schools that are "partially meeting expectations" or "not meeting expectations" under the Wyoming Accountability in Education Act (WAEA) may have its assessment system reviewed more often. In all cases, any deficiencies identified in a district's assessment system will be reported to the SBE and the district's accreditation status may be lowered as a result pursuant to the Chapter 6 Education Rules, "Accreditation".

### **Section 6. Consultation with Local School Districts**

Section 6 establishes the requirement for the SBE to consult with local school districts as they develop and implement the new requirements of these revised rules. The SBE recognizes the November 1 statutory reporting requirement to provide evidence that the district is compliant with high school graduation standards (W.S. 21-3-110 (a)(xxv)). The requirement within these rules for the SBE to offer feedback takes into consideration the timing of the rules promulgation process and provides a reasonable timeframe for implementation.

**Wyoming Department of Education**  
**Chapter 31**  
**Wyoming Graduation Requirements**

**Section 1. Authority.** These rules and regulations are promulgated pursuant to ~~the Wyoming Education Code of 1969 (as amended 2002) [W.S. 21-2-304(a)(i)(ii)(iii) and (iv)]~~ and W.S. 21-3-110(a)(i) and (xxv).

**Section 2. Applicability Purpose.** These rules and regulations pertain to the minimum requirements for graduation from any public high school within any school district of this state. ~~It is the intention of the state board of education to prescribe uniform student content and performance standards for the common core of knowledge and the common core of skills specified under W.S. 21-9-101(b) and to establish requirements for earning a high school diploma with which public schools (K-12) must comply the required components of each district's assessment system designed to determine student performance levels as aligned to the state standards pursuant to W.S. 21-2-304(a)(iv), and the consultation process between the State Board of Education and local districts on the establishment of Wyoming high school diploma requirements.~~

**Section 3. ~~Promulgation, Amendment, or Repeal of Rules.~~**

~~(a) These rules and any amendments thereof shall become effective as provided by the Wyoming Administrative Procedures Act. (W.S. 16-3-101 through 16-3-115)~~

**Section 4.3. Definitions.** As used in this chapter:

(a) ~~Advanced Performance. The level of performance as defined in the performance standards level descriptors contained in the sets of uniform student content and performance standards established for the Common Core of Knowledge and Common Core of Skills. [W.S. 21-2-304(a)(iii) and W.S. 21-9-101(b)]~~ “Alignment” means evidence that the district assessment system is aligned to the state standards, both in terms of content and cognitive complexity.

(b) ~~Common Core of Knowledge. Areas of knowledge each student is expected to acquire at levels established by the state board of education. [W.S. 21-9-101(b)(i)]~~ “Assessment” means an ongoing process that includes collecting, synthesizing, and interpreting information about what students know (knowledge) and are able to do (skills).

(c) ~~Common Core of Skills. Skills each student is expected to demonstrate at levels established by the state board of education. [W.S. 21-9-101(b)(iii)]. These skills may be integrated into the uniform student content and performance standards for the Common Core of Knowledge.~~ “Cognitive Complexity” means the type and level of thinking required to successfully achieve the standard.

(d) ~~Compensatory Approach. A compensatory approach for combining information allows higher scores on some measures (or standards) to offset (i.e., compensate for) lower scores on other measures. The most common example of the compensatory approach is the simple average. Within a single common core content area, students can use higher performance~~

~~on a particular standard, for example, to offset lesser performance on another standard and still be considered proficient in that content area (e.g., mathematics) “Coursework” means a progression of courses aligned to the state standards that provides students with a quality education as described under W.S. 21-2-304(a)(ii).~~

~~(e) Conjunctive Approach. A conjunctive approach requires that scores on all measures used must be above the criterion point (cut score) for the student to have met the overall standard. Students must be above the cut score in all common core content areas to meet the graduation requirement. “Department” means Wyoming Department of Education.~~

~~(f) Proficient Performance. The level of performance as defined in the performance standards level descriptors contained in the sets of uniform student content and performance standards established for the Common Core of Knowledge and Common Core of Skills. [W.S. 21-2-304 (a)(iii) and W.S. 21-9-101 (b)] “District Assessment System” means a system that measures various levels of student performance on content-specific learning goals that are aligned to the state standards.~~

~~(g) School Years of English/Mathematics/Science/and Social Studies. With reference to Chapter 31, “school years” is defined as the credit earned during a school year which is synonymous with a Carnegie Unit of study that reflects the instructional time provided in a class calculated by multiplying the number of minutes a district uses for a class by the number of pupil-teacher contact days in the district calendar as approved by the State Board of Education. This instructional time is usually between 125 and 150 hours in a calendar school year. “Functional Equivalent” means a course that is aligned to the state standards and is as rigorous as or more rigorous than a college- or career-preparatory course taken in high school.~~

~~(h) Standards for Graduation. The K-12 content standards contained in the uniform student content and performance standards established for the Common Core of Knowledge and Common Core of Skills. They define what students are expected to know and be able to do by the time they graduate. [W.S. 21-2-304 (a)(iii)] “Graduation Requirements,” or high school diploma requirements, means successful completion of courses required by this chapter, as evidenced by each district’s assessment system, which is aligned to the state standards, and prescribed by the State Board of Education under W.S. 21-2-304 (a)(iii).~~

~~(i) “Performance Level Descriptor” means a statement set by the State Board of Education in Chapter 10 Education Rules that describes how well a student must perform at an identified level for every course the student takes and completes. The following are the three options for performance level descriptors:~~

- ~~(i) Basic. A limited display of knowledge and skills that shows student is not approaching or approaching, but not yet meeting the standard.~~
- ~~(ii) Proficient. A satisfactory display of knowledge and skills that shows student is meeting the standard.~~
- ~~(iii) Advanced. A superior display of knowledge and skills that shows student is exceeding the standard.~~

(j) “State Standards” means the Wyoming Content and Performance Standards, also known as the Uniform Student Content and Performance Standards, that define what students should be provided the opportunity to learn in the ten (10) content areas as described in W.S. 21-9-101(b) and set by the State Board of Education in Chapter 10 Education Rules.

#### **Section 5 4. Wyoming Statutes High School Diploma Requirements.**

(a) All public school districts, and the schools and personnel within those districts, must comply with the applicable statutes of the State of Wyoming. Graduation requirements for earning a high school diploma from any high school within any school district of this state shall include successful completion of the following components as evidenced by passing grades or by successful performance on competency-based equivalency examinations:

(i) Coursework, including courses taken for the attainment of a high school diploma, shall include courses that, taken together, signify students are equipped to compete both intellectually and economically in society. Coursework for the attainment of a high school diploma shall be aligned to the state standards in grades nine (9) through twelve (12) and, at a minimum, include the following:

(A) Four (4) school years of English;

(B) Three (3) school years of mathematics;

(C) Three (3) school years of science, one (1) year of which may be a computer science course; and

(D) Three (3) school years of social studies, including history, American government, and economic systems and institutions, provided business instructors may instruct classes on economic systems and institutions.

(E) Courses taken before grade nine (9) used to satisfy high school diploma requirements shall be aligned to the state standards in grades nine (9) through twelve (12).

(F) Courses designated as functional equivalents may be used to satisfy the coursework described in this subsection. The Department may verify appropriate alignment of the functional equivalents to the state standards in grades nine (9) through twelve (12).

(ii) Satisfactorily passing an examination on the principles of the constitution of the United States and the state of Wyoming.

(iii) Evidence of proficient performance on the district assessment system, which includes all courses taken for the attainment of a high school diploma.

(A) Proficient performance shall be evidenced by successful completion of courses included in a district’s assessment system that are aligned to and inclusive of the state standards as defined in this chapter.

(B) The district determines successful completion through a district assessment system that meets the criteria outlined in Section 5 of this chapter.

(b) Each local school district shall establish high school diploma requirements that shall be reflected in policy and related documents as appropriate. The district's policy shall include:

(i) A description of the district's definition of course credit for any course which may be taken to satisfy the high school diploma requirements;

(ii) A description of the process by which successful performance on a competency-based equivalency examination may be used to satisfy coursework, as defined in this chapter;

(iii) A description of the way in which successful completion of courses taken for graduation will be used as a factor in awarding course credit;

(iv) A requirement that students demonstrate satisfactory performance on an examination of the principles of the constitution of the United States and the State of Wyoming as required by W.S. 21-9-102;

(v) An assurance that academic credit toward the district's high school diploma requirements will be awarded for the successful completion of any course offered under a qualifying post-secondary education program specified under W.S. 21-20-201; and

(vi) A description of any additional requirements that a student must successfully complete at the discretion of the district.

(c) The district shall maintain and publish a list of eligible courses to satisfy the high school diploma requirements, including the minimum graduation requirements established in these rules. All eligible courses shall be aligned to the state standards established for the high school grades and require a logical sequence and the progression of instruction aligned with content and benchmark standards from one school year to the next. This list shall not be required to include post-secondary courses for which academic credit may be awarded.

**Section 6 5. Wyoming State Board of Education Policies and Regulations District Assessment System.**

(a) All public school districts, and the schools and personnel within those districts, must comply with applicable state board policies and regulations. (W.S. 21-2-304) In conjunction with district accreditation, a district's assessment system shall be subject to review and approval by the State Board of Education at least once every five (5) years. A district containing schools that are designated as partially meeting expectations or not meeting expectations under W.S. 21-2-204(f)(i) may have its district assessment system reviewed more often as deemed appropriate by the State Board of Education and in accordance with W.S. 21-2-204(h)(vii).

(b) Pursuant to W.S. 21-3-110(a)(xxiv) and (xxxiv), the review shall apply to all ten

(10) content areas and verify that the district assessment system includes each of the following criteria:

(i) Alignment. The district has a process in place to ensure its district assessment system is aligned to the state standards in both content and cognitive complexity. The district assessment system must be aligned to the state standards within three (3) full years of the Board approving a standard.

(A) Districts shall ensure that their aligned district assessment system produces student performance levels relative to the state standards.

(B) Districts shall ensure that their aligned district assessment system measures the knowledge or skill for the appropriate grade level and content.

(C) Districts shall ensure that their aligned district assessment system provides every student with multiple opportunities to demonstrate what the student understands, knows, and can do.

(ii) Data Results. The district has a process in place to regularly monitor student performance in order to determine progress toward the attainment of knowledge and skills aligned to the state standards.

(iii) Ongoing Evaluation. The district has a process in place to evaluate its district assessment system on an ongoing basis to inform subsequent adjustments to the district assessment system that will ensure the district's needs, priorities, and goals are met and remains aligned to the state standards.

(c) Not later than November 1 of each year, the district shall report compliance with the criteria of its district assessment system, including compliance with the high school diploma requirements identified in Section 4 of this chapter.

(d) A district that does not meet the criteria of the district assessment system or does not comply with the high school diploma requirements may have its accreditation status lowered in accordance with Chapter 6 Education Rules.

### **Section 7 6. Common Core of Knowledge and Common Core of Skills Consultation with Local School Districts.**

(a) All public school students shall be proficient in the uniform student content and performance standards at the level set by the state board of education in the following areas of knowledge and skills, emphasizing reading, writing and mathematics in grades one (1) through eight (8) (W.S. 21-9-104): Within twelve (12) months of the effective date of these rules, each local district shall submit to the State Board of Education, through the Department its revised policy establishing high school diploma requirements for review and consultation. Within one hundred and twenty (120) days of receiving a local district's high school diploma requirements, the State Board of Education shall identify any areas in which the district does not comply with state-established requirements and consult with the district on any findings.

~~Common core of knowledge:-~~

~~Reading/Language Arts;-~~

~~Social Studies;~~

~~Mathematics;~~

~~Science;~~

~~Fine Arts and Performing Arts;~~

~~Physical Education;~~

~~Health and safety;-~~

~~Humanities;-~~

~~Career/vocational education;~~

~~Foreign cultures and languages;~~

~~Applied technology;~~

~~Government and civics including state and federal constitutions pursuant to W.S. 21-9-102.~~

~~Common core of skills:~~

~~Problem solving;~~

~~Interpersonal communications;-~~

~~Keyboarding and computer applications;~~

~~Critical thinking;~~

~~Creativity;~~

~~Life skills, including personal financial management skills.~~

(b) Any modification to a district's high school diploma requirements, including a copy of the revised requirements, shall be included in the district's November 1 report required under W.S. 21-3-110(xxv) and Section 5(c) of this chapter.

**Section 8. — High School Diploma.**

(a) ~~Requirements for earning a high school diploma from any high school within~~

any school district of this state shall include:

~~The successful completion of the following components in grades nine (9) through twelve (12), as evidenced by passing grades or by the successful performance on competency based equivalency examinations:~~

~~(i) Four (4) school years of English;~~

~~(ii) Three (3) school years of mathematics;~~

~~(iii) Three (3) school years of science;~~

~~(iv) Three (3) school years of social studies, including history, American government, and economic systems and institutions, provided business instructors may instruct classes on economic systems and institutions.~~

~~(b) Satisfactorily passing an examination on the principles of the constitution of the United States and the state of Wyoming. (W.S. 21-9-102)~~

~~(c) Evidence of proficient performance, at a minimum, on the uniform student content and performance standards for the common core of knowledge and skills specified under W.S. 21-9-101(a). A high school diploma shall provide for one (1) of the following endorsements which shall be stated on the transcript of each student:~~

~~(i) Advanced endorsement which requires a student to demonstrate advanced performance in a majority of the areas of the common core of knowledge and skills and proficient performance in the remaining areas of the specified common core of knowledge and skills, which include language arts, mathematics, science, social studies, health, physical education, foreign language, fine and performing arts, and career/vocational education, as defined by the uniform student content and performance standards;~~

~~(ii) Comprehensive endorsement which requires a student to demonstrate proficient performance in all areas of the common core of knowledge and skills, which include language arts, mathematics, science, social studies, health, physical education, foreign language, fine and performing arts, and career/vocational education, as defined by the uniform student content and performance standards;~~

~~(iii) General endorsement which requires a student to demonstrate proficient performance in a majority of the areas of the common core of knowledge and skills, which include language arts, mathematics, science, social studies, health, physical education, foreign language, fine and performing arts, and career/vocational education, as defined by the uniform student content and performance standards;~~

#### **Section 9. — District Assessment System.**

~~(a) Determination of proficient performance shall be demonstrated by the district and approved by the district board of trustees. [W.S. 21-2-304 (a)(iii) and (iv)].~~

~~The assessment system shall be designed to best meet the needs of individual Wyoming school districts for certifying whether or not students have mastered the common core of knowledge and skills as embedded in the uniform student content and performance standards as specified in W.S. 21-9-101 (b). The assessment system described in this section shall be designed for grades nine (9) through twelve (12) and evaluated according to the following criteria: alignment, consistency, fairness, and standard setting.~~

~~(i) — Guidelines for each criterion shall be determined by the State Board of Education.~~

~~(b) — Beginning school year 2014-2015, each district's assessment system shall include a measure or multiple measures for purposes of determining completion high school graduation requirements.~~

~~(c) — At a minimum, districts shall use a compensatory approach for combining assessment information at the benchmark and standard level when determining whether students have met the performance requirements for each common core content area.~~

~~(d) — Districts shall use a conjunctive approach for combining assessment information across common core of knowledge and skills content areas to determine whether students have met the graduation requirements.~~

~~(e) — The district shall report to the state board in accordance with W.S. 21-2-304(a)(iv) on its assessment system on or before August 1, 2015, and each August 1 thereafter.~~

~~(f) — All Wyoming school districts with a high school shall submit their assessment system documentation to the Wyoming Department of Education according to the following schedule:~~

~~(i) — For the 2003-2004 school year and all following years, districts shall submit yearly updates to their documentation to the Wyoming Department of Education. For the 2004-2005 school year and all following years, this documentation shall include the student performance results relative to the district's assessment system including disaggregation of passing rates. Each school district shall submit the documentation required by this paragraph no later than August 1 of each year.~~

~~(g) — For special needs students include accommodations in accordance with their individualized educational programs or 504 plans, and the policies as described in the Policies for the Participation of All Students in District and Statewide Assessment and Accountability Systems, which is available from the Wyoming Department of Education, 2300 Capitol Avenue, Hathaway Building, 2nd Floor, Cheyenne, Wyoming 82002-0050. These accommodations shall not substantially alter the character of the assessments used to measure student performance.~~

#### **Section 10. — Effective Date for Graduation Requirements.**

~~(a) Beginning with the graduating class of 2003, each student who successfully completes the requirements set forth in Section 8(a) of this chapter will be eligible for a high~~

~~school diploma. (W.S. 21-2-304(a)(iii) and (iv) and W.S. 21-9-102.) Thereafter, each student who demonstrates proficient performance on the uniform student content and performance standards for the common core of knowledge and skills listed in W.S. 21-9-101(a) of this chapter as set forth in Section 9 of this chapter and who also completes the requirements set forth in Section 8 of this chapter will be eligible for a high school diploma in accordance with the following timeline: (W.S. 21-2-304(a)(iii) and (iv) and W.S. 21-9-102.)~~

~~(b) Students graduating in 2006 and thereafter shall demonstrate proficient performance on the uniform student content and performance standards for language arts, mathematics, science, social studies, health, physical education, foreign language, career/vocational education and fine and performing arts as set forth in Section 8(c) of this chapter.~~

## **Chapter 31**

### **Wyoming Graduation Requirements**

**Section 1. Authority.** These rules and regulations are promulgated pursuant to W.S. 21-2-304(a)(i) – (iv) and W.S. 21-3-110(a)(i) and (xxv).

**Section 2. Purpose.** These rules and regulations pertain to the minimum requirements for graduation from any public high school within any school district of this state, the required components of each district’s assessment system designed to determine student performance levels as aligned to the state standards pursuant to W.S. 21-2-304(a)(iv), and the consultation process between the State Board of Education and local school districts on the establishment of Wyoming high school diploma requirements.

**Section 3. Definitions.** As used in this chapter:

(a) “Alignment” means evidence that a district assessment system is aligned to the state standards, both in terms of content and cognitive complexity.

(b) “Assessment” means an ongoing process that includes collecting, synthesizing, and interpreting information about what students know (knowledge) and are able to do (skills).

(c) “Cognitive Complexity” means the type and level of thinking required to successfully achieve the standard.

(d) “Coursework” means a progression of courses aligned to the state standards that provides students with a quality education as described under W.S. 21-2-304(a)(ii).

(e) “Department” means Wyoming Department of Education.

(f) “District Assessment System” means a system that measures various levels of student performance on content-specific learning goals that are aligned to the state standards.

(g) “Functional Equivalent” means a course that is aligned to the state standards and is as rigorous as or more rigorous than a college- or career-preparatory course taken in high school.

(h) “Graduation Requirements,” or high school diploma requirements, means successful completion of courses required by this chapter, as evidenced by each district’s assessment system, which is aligned to the state standards, and prescribed by the State Board of Education under W.S. 21-2-304 (a)(iii).

(i) “Performance Level Descriptor” means a statement set by the State Board of Education in Chapter 10 Education Rules that describes how well a student must perform at an identified level for every course the student takes and completes. The following are the three options for performance level descriptors:

- (i) Basic. A limited display of knowledge and skills that shows student is not approaching or approaching, but not yet meeting the standard.
- (ii) Proficient. A satisfactory display of knowledge and skills that shows student is meeting the standard.
- (iii) Advanced. A superior display of knowledge and skills that shows student is exceeding the standard.

(j) “State Standards” means the Wyoming Content and Performance Standards, also known as the Uniform Student Content and Performance Standards, that define what students should be provided the opportunity to learn in the ten (10) content areas as described in W.S. 21-9-101(b) and set by the State Board of Education in Chapter 10 Education Rules.

#### **Section 4. High School Diploma Requirements.**

(a) Graduation requirements for earning a high school diploma from any high school within any school district of this state shall include successful completion of the following components as evidenced by passing grades or by successful performance on competency-based equivalency examinations:

(i) Coursework, including courses taken for the attainment of a high school diploma, shall include courses that, taken together, signify students are equipped to compete both intellectually and economically in society. Coursework for the attainment of a high school diploma shall be aligned to the state standards in grades nine (9) through twelve (12) and, at a minimum, include the following:

- (A) Four (4) school years of English;
- (B) Three (3) school years of mathematics;
- (C) Three (3) school years of science, one (1) year of which may be a computer science course; and
- (D) Three (3) school years of social studies, including history, American government, and economic systems and institutions, provided business instructors may instruct classes on economic systems and institutions.
- (E) Courses taken before grade nine (9) used to satisfy high school diploma requirements shall be aligned to the state standards in grades nine (9) through twelve (12).
- (F) Courses designated as functional equivalents may be used to satisfy the coursework described in this subsection. The Department may verify appropriate alignment of the functional equivalents to the state standards in grades nine (9) through twelve

(12).

(ii) Satisfactorily passing an examination on the principles of the constitution of the United States and the state of Wyoming.

(iii) Evidence of proficient performance on the district assessment system, which includes all courses taken for the attainment of a high school diploma.

(A) Proficient performance shall be evidenced by successful completion of courses included in a district's assessment system that are aligned to and inclusive of the state standards as defined in this chapter.

(B) The district determines successful completion through a district assessment system that meets the criteria outlined in Section 5 of this chapter.

(b) Each local school district shall establish high school diploma requirements that shall be reflected in policy and related documents as appropriate. The district's policy shall include:

(i) A description of the district's definition of course credit for any course which may be taken to satisfy the high school diploma requirements;

(ii) A description of the process by which successful performance on a competency-based equivalency examination may be used to satisfy coursework, as defined in this chapter;

(iii) A description of the way in which successful completion of courses taken for graduation will be used as a factor in awarding course credit;

(iv) A requirement that students demonstrate satisfactory performance on an examination of the principles of the constitution of the United States and the State of Wyoming as required by W.S. 21-9-102;

(v) An assurance that academic credit toward the district's high school diploma requirements will be awarded for the successful completion of any course offered under a qualifying post-secondary education program specified under W.S. 21-20-201; and

(vi) A description of any additional requirements that a student must successfully complete at the discretion of the district.

(c) The district shall maintain and publish a list of eligible courses to satisfy the high school diploma requirements, including the minimum graduation requirements established in these rules. All eligible courses shall be aligned to the state standards established for the high school grades and require a logical sequence and the progression of instruction aligned with content and benchmark standards from one school year to the next. This list shall not be required to include post-secondary courses for which academic credit may be awarded.

## **Section 5. District Assessment System.**

(a) In conjunction with district accreditation, a district's assessment system shall be subject to review and approval by the State Board of Education at least once every five (5) years. A district containing schools that are designated as partially meeting expectations or not meeting expectations under W.S. 21-2-204(f)(i) may have its district assessment system reviewed more often as deemed appropriate by the State Board of Education and in accordance with W.S. 21-2-204(h)(vii).

(b) Pursuant to W.S. 21-3-110(a)(xxiv) and (xxxiv), the review shall apply to all ten (10) content areas and verify that the district assessment system includes each of the following criteria:

(i) **Alignment.** The district has a process in place to ensure its district assessment system is aligned to the state standards in both content and cognitive complexity. The district assessment system must be aligned to the state standards within three (3) full years of the Board approving a standard.

(A) Districts shall ensure that their aligned district assessment system produces student performance levels relative to the state standards.

(B) Districts shall ensure that their aligned district assessment system measures the knowledge or skill for the appropriate grade level and content.

(C) Districts shall ensure that their aligned district assessment system provides every student with multiple opportunities to demonstrate what the student understands, knows, and can do.

(ii) **Data Results.** The district has a process in place to regularly monitor student performance in order to determine progress toward the attainment of knowledge and skills aligned to the state standards.

(iii) **Ongoing Evaluation.** The district has a process in place to evaluate its district assessment system on an ongoing basis to inform subsequent adjustments to the district assessment system that will ensure the district's needs, priorities, and goals are met and remains aligned to the state standards.

(c) Not later than November 1 of each year, the district shall report compliance with the criteria of its district assessment system, including compliance with the high school diploma requirements identified in Section 4 of this chapter.

(d) A district that does not meet the criteria of the district assessment system or does not comply with the high school diploma requirements may have its accreditation status lowered in accordance with Chapter 6 Education Rules.

**Section 6. Consultation with Local School Districts.**

(a) Within twelve (12) months of the effective date of these rules, each local district shall submit to the State Board of Education, through the Department its revised policy establishing high school diploma requirements for review and consultation. Within one hundred and twenty (120) days of receiving a local district's high school diploma requirements, the State Board of Education shall identify any areas in which the district does not comply with state-established requirements and consult with the district on any findings.

(b) Any modification to a district's high school diploma requirements, including a copy of the revised requirements, shall be included in the district's November 1 report required under W.S. 21-3-110(xxv) and Section 5(c) of this chapter.

**Public Comments**

CHAPTER 31  
WYOMING GRADUATION REQUIREMENTS

No comments were received during the public comment period for these rules, which occurred from May 9 through June 29, 2018.



# Certification Page Regular and Emergency Rules

Revised September 2016

**Emergency Rules** *(After completing all of Sections 1 through 3, proceed to Section 5 below)*

**Regular Rules**

## 1. General Information

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address	h. Adoption Date	
i. Program		

## 2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No.    Yes. Please provide the Enrolled Act Numbers and Years Enacted:

## 3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.  
*(Please use the Additional Rule Information form for more than 10 chapters and attach it to this certification)*

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

### **3. State Government Notice of Intended Rulemaking**

a. Date on which the Proposed Rule Packet (consisting of the Notice of Intent as per W.S. 16-3-103(a), Statement of Principal Reasons, strike and underscore format and a clean copy of each chapter of rules were:

- approved as to form by the Registrar of Rules; and
- provided to the Legislative Service Office and Attorney General:

### **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.  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:

c. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

### **5. Final Filing of Rules**

a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature:

b. Date on which final rules were approved as to form by the Secretary of State and sent to the Legislative Service Office:

c.  The Statement of Reasons is attached to this certification.

### **6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	
Printed Name of Signatory	
Signatory Title	
Date of Signature	

### **7. Governor's Certification**

I have reviewed these rules and determined that they:

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	