

Revised: March 27, 2009

## **SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE DEPARTMENT**

### **MAJOR / GENERAL DUTIES**

- General supervision of public schools. *Art. 7, § 14, Constitution of the State of Wyoming*
- Act as administrative head and chief executive officer of the Department of Education ("Department"). *W.S. § 21-2-201*
- Supervise the Department and staff and organize it in a manner to discharge duties appropriately. *W.S. § 21-2-104*
- Make rules and regulations consistent with the Education Code. *W.S. § 21-2-202(a)(i)*
- Develop public support for a complete and uniform system of education. *W.S. § 21-2-202(a)(ii)*
- Enforce the Education Code and rules and regulations in accordance with the law. *W.S. § 21-2-202(a)(iv)*
- Make final agency decisions and hold administrative hearings in accordance with the law. *W.S. § 21-2-202(d) and § 21-2-101*
- Take appropriate administrative action with the State Board that may be necessary, including changing the accreditation status of any school or institution. *W.S. § 21-2-202(c)*
- Assist the State Board. *W.S. § 21-2-202(a)(vii)*

## **STATE BOARD OF EDUCATION**

### **MAJOR / GENERAL DUTIES**

- ◇ Establish polices for public education in the State consistent with the Constitution and the statutes. *W.S. § 21-2-304(a)(i)*
- ◇ Establish statewide goals for Wyoming public education. *W.S. § 21-2-304(e)*
- ◇ Promulgate rules necessary or desirable for the proper and effective implementation of the Education Code. *W.S. § 21-2-304(a)(i)*
- ◇ Initiate and facilitate discussions regarding the needs of and the means for improving education. *W.S. § 21-2-304(b)(v)*
- ◇ Perform an ongoing review of State Board duties and make recommendations to the Legislature on board duties. *W.S. § 21-2-304(c)*
- ◇ Report to the Governor and recommend education legislation and necessary appropriations for educational activities in conjunction with the Superintendent. *W.S. § 21-2-306*
- ◇ Require reports and other assistance from school boards and officials as necessary. *W.S. § 21-2-305(a)(ii)*
- ◇ Meet during the first quarter of a calendar year and select a chairman; meet at the call of the Superintendent or the Governor or

- Designate an employee to serve as liaison to the State Board, including providing information upon request. *W.S. § 21-2-202(b)*
- Assist the Professional Teaching Standards Board. *W.S. § 21-2-202(a)(xvi)*
- Serve on the School Facilities Commission. *W.S. § 21-15-113*
- Serve as an ex officio member of the University of Wyoming's Board of Trustees. *Art. 7, § 17, Constitution of the State of Wyoming*
- Serve on the Board of Land Commissioners. *Art. 18, § 3, Constitution of the State of Wyoming*
- Report to the Governor and recommend education legislation and necessary appropriations for educational activities in conjunction with the State Board. *W.S. § 21-2-306*
- Recommend appropriations from the school foundation program account, including the amount necessary to fund payments to the school districts and special programs in the budget request to the Governor. *W.S. § 21-2-202(a)(xvii)*
- Consult with and advise the State Board, local school boards, local school administrators, teachers and interested citizens. *W.S. § 21-2-202(a)(ii)*
- Print and distribute informative material to interested parties. *W.S. § 21-2-202(a)(ix)*

the Chairman and meet at regular intervals as required to carry out duties. *W.S. § 21-2-301(b)*.

- ◇ Evaluate and review, at least every five (5) years, the uniformity and quality of the educational program standards imposed by *W.S. § 21-9-101* and *§ 21-9-102* and the student content and performance standards and report findings and recommendations to the Joint Education Interim Committee. *W.S. § 21-2-304(c)*
- ◇ Through the evaluation and accreditation of school districts, implement and enforce the uniform standards for educational programs prescribed under *W.S. § 21-9-101* and *§ 21-9-102*.
  - ◆ Ensure the uniform standards provide students an opportunity to acquire sufficient knowledge and skills to enter the University and community colleges and/or the job market or post-secondary vocational and technical training and achieve the general purpose of educating students for their roles as citizens and participants in the political system. *W.S. § 21-2-304(a)(ii)*
- ◇ In consultation with local school districts, prescribe and enforce uniform student content and performance standards as specified by *W.S. § 21-9-101(b)* and (c), including promulgation of uniform standards for programs addressing the special needs students specified by *W.S. § 21-9-101(c)*.

- Maintain files and records of matters related to the Department. *W.S. § 21-2-202(a)(iii)*
- Employ legal counsel to review contracts and perform other duties as assigned. *W.S. 21-2-202(a)(xix)(J)*
- Establish a program of administering a standardized college entrance examination or a job skills assessment test to all 11<sup>th</sup> graders by rule and regulation. *W.S. § 21-2-202(a)(xxx)*
- Develop and implement a statewide education technology plan in cooperation with interested shareholders. *W.S. § 21-2-202(a)(xx)*
- Prepare a summary of the law regarding the creation and operation of charter schools. *W.S. § 21-3-304(g)*
- Adopt rules and regulations prescribing standards and allowable costs for educational services provided to court ordered placement pupils and distribute appropriate payments for such services. *W.S. § 21-13-315(b)*
- Promulgate rules and regulations to implement and enforce standards for student transportation. *W.S. § 21-13-320(f)*
- Make rules and regulations establishing standards for driver education programs in consultation with the Department of Transportation and employ a state coordinator of driver education programs to provide oversight of all driver education programs throughout the State. *W.S. § 21-3-501(e) and (f)*

- ◆ Include standards for graduation from any high school and describe required performance levels in order to achieve proficiency of the common core of knowledge and skills.
- ◆ The standards must require successful completion of the following components, as evidenced by passing grades or successful performance on a competency-based exam: Four (4) years of English; Three (3) years of mathematics, science and social studies, including history, American government and economic systems and institutions. *W.S. § 21-2-304(a)(iii)*
- ◇ Establish requirements for high school diplomas as measured by each district's body of evidence assessment system and provide for advanced, comprehensive and general endorsements on diplomas in accordance with statute. *W.S. § 21-2-304(a)(iv)*
- ◇ Implement, review and evaluate a statewide assessment system for measuring student progress. The system must:
  - ◆ Utilize measures, that when combined, provide a reliable and valid measure of individual student achievement;
  - ◆ Ensure the primary purpose is to improve teaching and learning in schools and fostering school program improvements;
  - ◆ Measure student performance in a manner aligned with the

- Make guidelines regarding the proper storage and disposal of hazardous material and toxic chemicals for school districts in cooperation with the Department of Environmental Quality. *W.S. § 21-2-202(a)(xxii)*
  - Make rules and provide a biennial plan and budget for the maintenance and operation for the deaf school in Casper. *W.S. § 21-2-202(a)(xii)*
  - Collect and assess student educational assessment data from school districts, community colleges and the University of Wyoming in accordance with the rules promulgated by the State Board. *W.S. § 21-2-202(a)(xiv)*
  - Establish and maintain and a uniform statewide reporting system based upon the student assessment. *W.S. § 21-2-202(a)(xxi)*
  - Maintain a list of accredited schools in Wyoming. *W.S. § 21-2-202(a)(viii)*
  - Administer and enforce the statutes addressing private school registration and licensure. *W.S. § 21-2-401 and § 21-2-402*
  - Regulate the qualifications of and establish licensure fees for agents of private schools. *W.S. § 21-2-403(b)*
  - Revoke and suspend private school registrations and licenses in accordance with the Wyoming Administrative Procedures Act. *W.S. § 21-2-402(d)*
- uniform content and performance standards;
  - ◆ Require administration in reading, writing and mathematics at grades four (4), eight (8) and eleven (11) and, beginning in 2007-2008, in science not less than once within the following grade bands: three through five (3-5), six through 8 (6-8) and ten through twelve (10-12);
  - ◆ Measure Wyoming students against a national rubric.
  - ◆ Measure changes in student performance and progress in each subject year-to-year;
  - ◆ Ensure a fair and unbiased assessment without regard to race, ethnicity, limited English proficiency and socioeconomic status; and,
  - ◆ Provide alternatives and appropriate assessments for students with disabilities. *W.S. § 21-2-304(a)(v)*
  - ◇ Report assessment results to students, parents, schools, schools districts, the public and the legislature in an accurate manner and utilize results in conjunction with school district's annual assessment to design educational strategies for improvement and enhancement of student performance. *W.S. § 21-2-304(a)(v)(H)*
  - ◇ Establish improvement goals for public schools assessment of student progress based upon the NAEP (National Assessment of Educational Progress) and the statewide assessment. *W.S. § 21-2-304(b)(xiv)*

- Establish rules and regulations for the implementation and administration of the Hathaway Scholarship Program, including providing for exceptions when appropriate in determining initial scholarship eligibility and continued eligibility. *W.S. 21-16-1308*
- Promulgate rules and regulations for the collection of data and annual reporting requirements for the Hathaway Scholarship Program. *W.S. 21-16-1308(c)*
- Promulgate rules and regulations, in consultation with the State Board, and provide oversight for distance education programs in Wyoming. *W.S. 21-2-202(a)(xxxi)*
- Promulgate rules and regulations establishing a charter school application process, which includes a process for review by the district superintendent and mediation. *W.S. 21-3-307(d)*

- ◇ By rule and regulation establish a statewide accountability system imposing a range of educational consequences that increase in the degree of intensity over time, which ensures:
  - ◆ Continuous improvement of student achievement;
  - ◆ Accountability decisions and progress of improving student achievement are based on adequate yearly progress as defined by No Child Left Behind and the district's body of evidence;
  - ◆ Ensure the focus of the system is teacher remediation, administrator quality and student remediation; and,
  - ◆ A range of rewards are provided for those schools that meet the appropriate goals. *W.S. § 21-2-304(a)(vi)*
- ◇ Enforce the uniform content and performance standards imposed by statute and rule and regulation by taking appropriate administrative action with the Superintendent, including but not limited to changing the accreditation status. *W.S. § 21-2-304(b)(ii)*
- ◇ Approve or disapprove alternative scheduling for districts requesting to operate for less than 175 days in a school year. *W.S. § 21-2-304(b)(viii)*
- ◇ Promulgate rules for the development, assessment and approval of school district teacher performance evaluation systems which allows each district the flexibility to develop an evaluation system that meets the individual

needs of the district. *W.S. § 21-2-304(b)(xv)*

- ◇ Through the Superintendent, implement, administer and supervise education programs and services for adult visually handicapped and hearing impaired persons within the State. *W.S. § 21-2-304(b)(xvi)*
- ◇ Grant or deny requests by charter schools for release from State statutes and rules, decide appeals from district board decisions related to charter schools. *W.S. § 21-3-310*
- ◇ Serve as the “State Committee” for purposes of district organization, reorganizations, and adjustment of boundaries of school districts. Duties include:
  - ◆ Providing aid to district boundary boards in carrying out their powers and duties in consultation with the Superintendent; and,
  - ◆ Receiving, filing and reviewing all proposals for organizations, reorganization and boundary adjustments and making decisions as the approval or denial of the submission. *W.S. § 21-6-210(a) and § 21-6-211*
- ◇ Approve any agreement to form a board of cooperative educational services (BOCES) entered into by a school district. *W.S. § 21-20-104(a)*

#### **SPECIAL EDUCATION**

- ◇ Prescribe content and performance standards for children with disabilities, limited English

#### **SPECIAL EDUCATION**

- Make rules to assure disabled students receive a free and appropriate education.

- Promulgate rules and regulations that assure that each child with a disability receives a free and appropriate education in accordance with his capabilities. *W.S. 21-2-202(a)(xviii)*
- Establish statewide guidelines for special education staffing levels to be used in assessing programs and services provided by school districts. *W.S. § 21-2-202(a)(xxiii)*
- Monitor school district special education identification and service delivery practices, assess variations in services or delivery methods and assist districts in developing alternatives. *W.S. § 21-2-202(a)(xxiv).*
- Measure and track district special education programs based upon student performance and develop procedures to monitor student progress over time. *W.S. § 21-2-202(a)(xxv)*
- Promulgate rules and regulations to carry out the delivery of educational services of preschool children with disabilities. *W.S. § 21-2-703(c)*
- Insure that activities to deliver a proper education to preschool children with disabilities comply with the Education of the Handicapped Act, 20 U.S.C. §§ 1400 through 1485. *W.S. § 21-2-703(a)(iii)*
- Enter into an agreement with the Development Disabilities Division of the Department of Health defining the duties of each party with regard to the education of developmentally disabled preschoolers. *W.S. § 21-2-703(c)*

proficient children, economically disadvantaged youth and gifted and talented students.

- ◆ Programs implemented by districts in accordance with these standards must identify special student populations in accordance with the rules and regulations of the State Board. *W.S. § 21-2-304(a)(iii) and § 21-9-101(c)*
- ◇ Monitor the proportion of students in each special needs category and compare to regional averages. *W.S. § 21-9-101(c)*
- ◇ Note: Many aspects of special education and educating children with disabilities are controlled and dictated by federal law. Any action or initiative undertaken by the State Board or the Superintendent in this area must coincide with the direction of the federal government as contained in the Individuals with Disabilities Act, 20 U.S.C. § 1400 et seq. and any subsequent amendments thereof. Furthermore, because the implementation of federal programs and distribution of federal aid is within the control of the Superintendent and special education is governed by federal law, the Board's abilities are relatively limited in this area. *W.S. § 21-13-321(a)(ii) and § 21-2-202(a)(xviii) and (xix).*



- Receive and expend funds from the federal government pursuant to § 611(d) and reserved by the State pursuant to § 611(e)(2) of the federal Individuals with Disabilities Education Act in accordance with the law. *W.S. § 21-2-705(c)*
- Promulgate rules and regulations to implement and administer reimbursement for special education services. *W.S. § 21-13-323(d)*
- Note: Many aspects of special education and educating children with disabilities are controlled and dictated by federal law. Any action or initiative undertaken by the State Board or the Superintendent in this area must coincide with the direction of the federal government as contained in the Individuals with Disabilities Act, 20 U.S.C. § 1400 et seq. and any subsequent amendments there of.

### **VOCATIONAL EDUCATION**

- Establish criteria and guidelines in the following areas:
  - Identification of vocational education courses by districts;
  - For computation of full-time equivalent (FTE) students participating in vocational education courses; and,
  - Determination of FTE vocational education teachers. *W.S. § 21-2-202(a)(xxvi)*
- Annually collect information necessary to administer vocational education adjustment of the finance model. *W.S. § 21-2-202(a)(xxvi)*
  - Including assisting the districts with computations. *W.S. § 21-2-203(c)(viii)*

### **VOCATIONAL EDUCATION**

- ◇ Serve as the State Board of Vocational Education, promulgate rules and review career-vocational education programs offered by school districts to ensure the programs serve the needs of the students and are aligned with State content and performance standards. *W.S. §§ 21-2-307, 21-12-101(a).*



- Develop a process and procedure for granting district waivers from instructional and career-vocational education program requirements, which includes incentives for teacher certification and program sequencing compliance subject to the district submitting specific items as contained in statute. W.S. § 21-2-202(a)(xxvii)
- Establish procedural and monitoring requirements for implementation of the career-technical education demonstration project grant program authorized by W.S. 21-12-105, including coordination with the post-secondary and industry fields. W.S. § 21-2-202(a)(xxviii)
- Provide for the reporting for district vocational education expenditures by rule and regulation. W.S. § 21-2-202(a)(xxix)

#### **FEDERAL PROGRAMS**

- Make rules for the acceptance and disbursement of federal funds for school lunch, milk and other commodities distributions. In carrying out this duty the Superintendent may:
  - Enter into agreements, employ personnel, direct disbursements of funds, assist in training personnel of programs and accept gifts in connect with such programs;
  - Audit and conduct reviews and inspections of accounts, records and operations of programs; and,
  - Conduct studies to improve and expand school lunch programs and promote

nutritional education in schools. *W.S. § 21-2-202(a)(x)*

- Accept all federal funds distributed to aid education (except those provided under *W.S. § 21-2-307 & § 21-2-601*). *W.S. § 21-2-202(a)(xix)*
- Administer and supervise any State Plan established or any federal funds subject to federal requirements, including:
  - Make agreements with federal agencies to secure benefits;
  - Establish a State Plan;
  - Provide reports to federal agencies and collect reports from local education agencies;
  - Conduct surveys and studies with other agencies to identify the needs of the State;
  - Establish standards for receipt of funds;
  - Give technical advice and assistance to local education agencies receiving federal funds; and,
  - Take other action necessary to secure federal funds. *W.S. § 21-2-202(a)(xix)*
- Note: The authority of the Superintendent and the Department in the area of federal programs and distribution of funds has many programmatic implications, including in the area of special education.

## **SCHOOL FINANCE**

- Make rules and regulations governing the administration of the finance model, including:
  - Providing copies of the model as administered to the school districts;

- Certifying the model is properly incorporated into the model as administered by the Department; and,
  - Implementing technical corrections to the model between legislative sessions.  
*W.S. § 21-2-202(e)*
- Administer the school finance, data management and reporting system for funding of the public schools, including the enforcement of rules for submission of uniform data.  
*W.S. § 21-2-203(c)(i) and § 21-13-309(m)*
  - Calculate and distribute the funds associated with operational costs for school districts including, but not limited to, ADM, enrollment, at-risk population, alternative school funding, salaries for all school district level staffing categories, including extra compensation provided to teachers pursuant to statutes, vocational education, transportation and special education, health insurance, routine building maintenance, tuition and isolation and maintenance payments and inflationary adjustments. *W.S. § 21-13-309(m), (o) and (p) and § 21-13-313*
  - Collect the data necessary to administer the school finance model, including:
    - Coordinate the effort with other functions of the Department to consolidate reporting requirements and avoid duplication; and,
    - Consult with advisory committee on type and format

of data to be reported. *W.S. § 21-2-203(a) and (c)(ii)*

- Specify formats, uniform accounting standards and procedures and processes for district accountability and data reporting. *W.S. § 21-2-203(c)(iii)*
- Make recommendations to improve the accuracy and reliability of data and the general efficiency of the operation of the school finance system. *W.S. § 21-2-203(c)(iv)*
- Provide training of district personnel regarding administration of the school finance model. *W.S. § 21-2-203(c)(v)*
- Cooperate with and consult with other State agencies which have responsibilities related to the school finance system. *W.S. § 21-2-203(c)(vi)*
- Ensure that comprehensive school finance information is available in a useful format to policymakers, schools districts and the general public. *W.S. § 21-2-203(c)(vii)*
- Establish a data advisory committee to provide guidance and suggestions on data collection and use by the Department. *W.S. § 21-2-203(d)*
- Pursuant to rules and regulations, conduct audits of data submitted by the school districts that are necessary to administer and perform computations pertaining to the cost components within the education block grant resource model. *W.S. § 21-13-307(b)*