

**ACTION SUMMARY SHEET
STATE BOARD OF EDUCATION**

DATE: August 29, 2012

ISSUE: Approval of Agenda

BACKGROUND:

SUGGESTED MOTION/RECOMMENDATION:

To approve the Agenda for the August 29, 2012 State Board of Education Teleconference Meeting

SUPPORTING INFORMATION ATTACHED:

- Agenda

PREPARED BY: *Chelsie Bailey*
Chelsie Bailey, Executive Assistant

APPROVED BY: _____
John Masters
State Board of Education Liaison

ACTION TAKEN BY STATE BOARD: _____ **DATE:** _____

COMMENTS:

State Board of Education

Teleconference

August 29, 2012 at 4:00 p.m. – 5:00 p.m.

1. Call to Order- Joe Reichardt *Roll Call	Action	4:00 p.m.
2. Approval of Agenda- Joe Reichardt	Action- Tab A	
3. Approval of Minutes- Joe Reichardt * July 16, 2012 * August 6, 2012	Action- Tab B	
4. State Board of Education Coordinator Report- Paige Fenton-Hughes	Information- Tab C	4:05 p.m.
5. Professional Judgment Panel and EOC Travel- Paige Fenton-Hughes	Action- Tab D	4:15 p.m.
6. AWEC Contract for Assistance to the Accountability Project- John Masters	Action- Tab E	4:25 p.m.
7. Data Gathering for the Professional Judgment Panel- Rebecca Glasgow	Information- Tab F	4:45 p.m.
8. District Assessment Systems- Cindy Hill	Information	4:50 p.m.
9. ADJOURNMENT		5:00 p.m.

**ACTION SUMMARY SHEET
STATE BOARD OF EDUCATION**

DATE: August 29, 2012

ISSUE: Approval of Minutes

BACKGROUND:

SUGGESTED MOTION/RECOMMENDATION:

To approve the minutes from the July 16, 2012 State Board of Education meeting.

To approve the minutes from the August 6, 2012 State Board of Education meeting.

SUPPORTING INFORMATION ATTACHED:

- Minutes of July 16, 2012
- Minutes of August 6, 2012

PREPARED BY: *Chelsie Bailey*
Chelsie Bailey, Executive Assistant

APPROVED BY: _____
John Masters
State Board of Education Liaison

ACTION TAKEN BY STATE BOARD: _____ **DATE:** _____

COMMENTS:

WYOMING STATE BOARD OF EDUCATION
July 16, 2012
Teleconference

Wyoming State Board of Education members present: Ron Micheli, Joe Reichardt, Scotty Ratliff, Kathy Coon, Cindy Hill, Sue Belish, Pete Gosar, Belenda Willson, Walt Wilcox, Dana Mann-Tavegia and Hugh Hageman

Wyoming State Board of Education members absent: Matt Garland

Also present: Chelsie Bailey, WDE; Kevin Lewis, WDE; Christine Steele, WDE; Sheryl Lain, WDE; Sam Shumway, WDE; Fred Hansen, WDE; Elaine Marces, WDE; Mary Kay Hill, Governor's Office; Paige Fenton-Hughes, SBE; and Mackenzie Williams, Attorney General's Office (AG)

CALL TO ORDER

Chairman Joe Reichardt called the meeting to order at 3:02 p.m.

Chelsie Bailey conducted roll call and established that a quorum was present.

APPROVAL OF AGENDA

Dana Mann-Tavegia moved to approve the agenda, seconded by Pete Gosar; the motion carried.

Cindy Hill moved to amend the agenda, to move item number five before item number four. Joe Reichardt seconded; the motion carried.

APPROVAL OF MINUTES

Minutes from the June 12, 2012, State Board of Education meeting was presented for approval.

Scotty Ratliff moved that the minutes be approved; seconded by Dana Mann-Tavegia; the motion carried.

MOU WITH THE UNIVERSITY OF WYOMING

Kevin Lewis from the Wyoming Department of Education (WDE) presented the Board with the potential Memorandum of Understanding between the Department of Education

and the University of Wyoming. This MOU would be funded by monies that previously funded the Body of Evidence (BoE) requirements. The current amount for BoE\$400,000; the presented MOU is for \$316,800. The sum of the contract was determined through negotiations between the University and the Department of Education. The MOU has been discussed with both the Dean of the University of Wyoming and the Governor's office. Kevin Lewis states the purpose of the agreement is to look at strengthening district assessment systems and bringing districts together around strong assessments; part of this work is required by Enrolled Act 65. Kevin Lewis informed the Board that the term of the contract would be for two years, which was necessary to allow the Board to have guidance and direction on district assessment formats.

Scotty Ratliff requested to be notified of the progress and milestones reached within the MOU. John Masters will present this information quarterly to the Board. Joe Reichardt requested that the Department Liaison for the Board communicate with the State Board of Education Coordinator weekly on that progress.

POSSIBLE CONTRACTS FOR EA65

Paige Fenton Hughes, the State Board of Education Coordinator, presented the Board with two possible contracts with Alpine Testing Solutions and Dr. Michael D. Beck for the Board to comply with Enrolled Act 65. The contract with Dr. Michael Beck would be in the amount of \$35,850 and he would facilitate the Professional Judgment Panel for the Board. The proposed amount for the Alpine Testing Solutions contract is for \$48,400 and the contractor would assist with the End of Course assessments. Paige Fenton-Hughes notified that Board that there is money in the State Board of Education budget to fund these contracts if the WDE and SBE cannot agree on the funding stream.

Dana Mann-Tavegia moved the State Board of Education request the Wyoming Department of Education to execute a contract with Dr. Michael D. Beck to act as a consultant in leading the Professional Judgment Panel work in determining school performance levels. Seconded by Kathy Coon; the motion carried.

Sam Shumway, attorney at the Wyoming Department of Education, questioned if the procurement process were followed with the contracts. He discussed that the Wyoming Department of Education budgets and expenditures had been scrutinized and as the fiscal agent of the contracts the Department needed to be careful to administer the correct processes.

Sue Belish moved the State Board of Education request the Wyoming Department of Education to execute a contract with Alpine Testing Solutions Inc. to lead a study in end of course assessments as described in the Wyoming Accountability in Education act, EA65. Seconded by Dana Mann-Tavegia; the motion carried.

CHAPTER 18 REVISIONS

Elaine Marces from the WDE requested the State Board refer to correspondence dated May 17, 2012, regarding the Board allow the WDE to revise Chapter 18 Rules and Regulation for Private non-religious schools. Additionally, Elaine Marces requested the Board provide guidance and/or recommendations relative to the information the Board would like included in the private non-religious K-12 school annual reporting.

Sue Belish moved that the State Board of Education recommend annual reporting requirements and direct the Wyoming Department of Education to begin the formal rule promulgation process for permanent Chapter 18 Rules & Regulations Governing Private Non-Religious Elementary and Secondary Schools. Seconded by Kathy Coon; the motion carried.

The State Board of Education adjourned at 4:22 p.m.

The next Board meeting is scheduled for a teleconference on August 6, 2012.

WYOMING STATE BOARD OF EDUCATION
August 6, 2012
Teleconference

Wyoming State Board of Education members present: Ron Micheli, Joe Reichardt, Scotty Ratliff, Kathy Coon, Cindy Hill, Sue Belish, Pete Gosar, Belenda Willson, Matt Garland, Dana Mann-Tavegia and Hugh Hageman

Wyoming State Board of Education members absent: Walt Wilcox

Also present: Chelsie Bailey, WDE; Drew Dilly, WDE; Christine Steele, WDE; Bill Pannell, WDE; Sam Shumway, WDE; Paul Williams, WDE; Julie Magee, WDE; Mary Kay Hill, Governor's Office; Paige Fenton-Hughes, SBE; and Mackenzie Williams, Attorney General's Office (AG)

CALL TO ORDER

Chairman Joe Reichardt called the meeting to order at 3:02 p.m.

Chelsie Bailey conducted roll call and established that a quorum was present.

APPROVAL OF AGENDA

Pete Gosar moved to approve the agenda, seconded by Cindy Hill; the motion carried.

APPROVAL OF MINUTES

Minutes from the July 16, 2012, State Board of Education meeting was presented for approval.

Cindy moved that the minutes be approved; seconded by Pete Gosar

Dana Mann-Tavegia moved to table the approval of the minutes pending the addition of Sam Shumway's comments in the July 16, 2012 meeting regarding the Michael Beck and Alpine Testing Solutions contracts, seconded by Sue Belish; the motion carried.

STATE BOARD OF EDUCATION COORDINATOR REPORT

Paige Fenton Hughes, State Board of Education Coordinator, presented the Board her memorandum of the August 6 teleconference information, which was included in the packet. Paige Fenton Hughes also reported to the Board her presentation to the Select

Committee on Statewide Education Accountability on July 23, 2012 regarding the State Board of Education accountability task update.

MICHAEL BECK AND ALPINE TESTING SOLUTIONS CONTRACTS

Paige Fenton Hughes, the State Board of Education Coordinator, reported to the Board that the contracts had gone through the Attorney General's Office, been signed by the contractors, and are currently ready for the State Board of Education Chairman, Joe Reichardt, to sign. After the Chairman's signature John Masters, from the WDE, will sign and the contracts will be complete.

Joe Reichardt called for a motion for the Board to approve moving forward in the contracts, Scotty Ratliff moved, seconded by Dana Mann-Tavegia; the motion carried.

DIRECTION ON MOU REGARDING COLORADO GROWTH MODEL

Drew Dilly, from the WDE, presented to the Board the current MOU with the Department of Education and the Colorado Department of Education. This MOU was established to assist the Department with the growth model. There is no cost associated with the MOU and it can be disseminated at anytime. No action was necessary by the Board.

COMPLETION OF THE ETS CONTRACT

John Masters, from the Wyoming Department of Education, reviewed the Estimates for Amendment 1 that includes the additional scope and the additional five components. The WDE recommended a motion authorizing WDE to initiate a contract amendment with ETS for services specified in the SOW and price sheet presented to the Board at this meeting (Estimates for Amendment 1) as Components 1-5.

Scotty Ratliff moved that the Wyoming Department of Education on behalf of the State Board of Education finalize a contract amendment with Educational Testing Service (ETS) for the change in the scope of work as identified by Components 1 through 5 on the presented Estimates for Amendment 1. The Board further acknowledges that minor revisions of the prices may occur from the sheets presented here due to scope revisions from the original estimates as ETS finalizes its bid. The motion was seconded by Cindy Hill, the motion carried.

ACT CONTRACT AND COMPASS ONLINE DELIVERY

John Masters notifies the Board that the Department has received and negotiated an ACT Amendment, which is consistent with the May 17, 2012 State Board of Education meeting actions. The amendment is being reviewed at the Attorney General's Office.

The WDE recommends a motion authorizing WDE to conclude a contract amendment with ACT for services specified in the SOW and price sheet presented to the Board at

this meeting (ACT 2012-2013 Contract Amendment Cost Proposal Overview and Attachment A to Amendment 2)

Dana Mann-Tavegia moved that the Wyoming Department of Education on behalf of the State Board of Education finalize a contract amendment with ACT for the change in the scope of work as identified on the presented ACT 2012-2013 Contract Amendment Cost Proposal Overview and Attachment A to Amendment 2. Seconded by Belenda Willson

CHAPTER 31 RULES

Julie Magee, from the WDE, reported to the Board on the line item veto in the Chapter 31 rules, the language of "Body of Evidence" was struck from section ten of the rules. The Governor made this veto on July 11, 2012, the same day the rules were signed into law. The new rules are up on the website.

Cindy Hill notified the Board that there is currently no transition system in place for the Body of Evidence but that the Department has begun work on a contract with the University of Wyoming regarding district assessment work. If any member of the Board wished to see the contract, Cindy Hill will provide it. The Department will have a presentation for the Board at the September State Board of Education meeting.

LETTER FROM THE U.S. DEPARTMENT OF EDUCATION

John Masters reviewed the letter that was received by the Department from the U.S. Department of Education dated July 26, 2012. The letter addressed the U.S. Department of Education directing the State Superintendent to seek a waiver, allowing the substitution of the ACT or other college readiness instrument in lieu of the 11th grade PAWS assessment.

P-16 SBE REPRESENTATIVE

Chairman, Joe Reichardt, notified the Board that trustee Kathy Coon requested to be relieved from her assignment to the P-16 council. Dana Mann-Tavegia will replace Kathy in those duties.

The State Board of Education meeting adjourned at 3:54 p.m.

The next Board meeting is scheduled for September 26-27, 2012 in Jackson, Wyoming



WYOMING

State Board of Education

Hathaway Building, 2nd Floor
2300 Capitol Avenue
Cheyenne, Wyoming 82002-0050
(307) 777-6213 • (307) 777-6234 FAX

GERALD REICHARDT
Chair, Wheatland

RON MICHELI
Vice Chair, Fort Bridger

PETE GOSAR
Treasurer, Laramie

MATT GARLAND
Gillette

SUE BELISH
Ranchester

KATHY COON
Lusk

DANA MANN-TAVEGIA
Osage

HUGH HAGEMAN
Fort Laramie

SCOTTY RATLIFF
Riverton

WALT WILCOX
Casper

BELENDIA WILSON
Thermopolis

CINDY HILL
State Superintendent

JOHN MASTERS
Board Liaison

CHELSIE BAILEY
Executive Assistant

MEMORANDUM

TO: State Board of Education

FROM: Paige Fenton Hughes, Coordinator

DATE: August 24, 2012

SUBJECT: August 29 teleconference information

Work has begun on the end-of-course assessment study. A project work plan has been completed, and we had an initial call with the Alpine Testing Solutions team. The team submitted an outline of the study and is moving forward as planned. The work has been divided into two phases. An advisory group has been organized to meet two times throughout the course of the study. This advisory group consists of Wyoming education thought leaders from the superintendent, principal, curriculum director, student support, teacher, instructional facilitator, and school board ranks. This group will meet the beginning of September and mid-October. The Alpine team will facilitate these meetings to garner the input and insights of Wyoming educators. A preliminary update and report will be on the agenda for the September SBE meeting.

Dr. Mike Beck is preparing for the Professional Judgment Panel meeting which will be held October 2, 3, and 4 in Casper. He has reviewed the model sent to him by the WDE, and we had a phone conference between Dr. Beck and the WDE. There are elements of the model which still need to be determined and initial frequency distributions need to be run so we can get an idea where we are with regard to school-level performance. Information about model calculations has been requested from WDE but has not yet been received. Final planning for the PJP agenda cannot take place without this critical information. Dr. Beck has outlined a draft agenda for the October meeting. At the September SBE meeting I will give you an update on this work. The final report will be drafted for your review during your October 9 teleconference meeting.

**ACTION SUMMARY SHEET
STATE BOARD OF EDUCATION**

DATE: August 29, 2012

ISSUE: Professional Judgment Panel and EOC Travel

BACKGROUND:

SUGGESTED MOTION/RECOMMENDATION:

I move to approve the appropriate MOAs with members of the Professional Judgment Panel for travel reimbursement and to approve the expenditure of funds to cover incidental meeting costs for the EOC and PJP meetings with all funds to be allocated from the WAEA Section 7(d) funds

SUPPORTING INFORMATION ATTACHED:

- Draft MOA

PREPARED BY: *Chelsie Bailey*

Chelsie Bailey, Executive Assistant

APPROVED BY: _____

**John Masters
State Board of Education Liaison**

ACTION TAKEN BY STATE BOARD: _____ **DATE:** _____

COMMENTS:

**TRAVEL AGREEMENT BETWEEN THE WYOMING DEPARTMENT OF
EDUCATION ON BEHALF OF THE STATE BOARD OF EDUCATION AND
MICHELLE KIGGINS**

Travel Expenses Only

Parties: Wyoming Department of Education
On behalf of the State Board of Education
Hathaway Building 2nd Floor
2300 Capitol Avenue
Cheyenne WY 82002-0050

Vendor: Michelle Kiggins
120 W Sunset Drive
Riverton, WY 82501

Purpose: The Professional Judgment Panel (PJP) for the State Board of Education (SBE) is an advisory group created by the SBE. It is the responsibility of the PJP to advise the SBE on issues related to the determination of school-level performance ratings

Vendor's Responsibilities: Vendor agrees to attend up to four (4) in-person meetings that will be held on various dates which will be determined during the progression of the accountability process prior to the completion of the PJP responsibilities. Teleconference and webinar style meetings may occur during the PJP meeting process and the vendor agrees to attend as many as possible.

Agreement Period: September 1, 2012 through December 31, 2013.

Payment Agreement: Agency agrees to pay the vendor the amount of travel and lodging expenses, pursuant to W.S. § 9-3-103.

Transportation:

Mileage: Personal vehicle mileage will be reimbursed using the standard map mileage between destinations and the current mileage reimbursement rate at the time of travel, pursuant to W.S. § 9-3-103.

Lodging: Actual lodging expenses will be reimbursed, upon submittal of an original lodging receipt.

Meals: "Meals: Daily M&IE allowance pursuant to W.S. § 9-3-103."

General Provisions:

A. Applicable Law. The construction, interpretation and enforcement of this Agreement shall be governed by the laws of the State of Wyoming. The courts of the State of Wyoming shall have jurisdiction over this Agreement and the parties, and the venue shall be the First Judicial District, Laramie County, Wyoming. The parties intend and agree that the State of Wyoming and the Agency do not waive sovereign immunity by entering into this Agreement, and specifically retain immunity and all defenses available to them as sovereigns pursuant to Wyo. Stat. § 1-39-104(a) and all other state law.

B. Availability of Funds. Each payment obligation of the Agency is conditioned upon the availability of government funds which are appropriated or allocated for the payment of this obligation. If the funds are not allocated and available for the continuance of the services performed by the Vendor, this Agreement may be terminated by the Agency at the end of the period for which the funds are available. The Agency shall notify the Vendor at the earliest possible time of the services which will or may be affected by a shortage of funds. No penalty shall accrue to the Agency in the event this provision is exercised, and the Agency shall not be obligated or liable for any future payments due or for any damages as a result of termination under this section. This provision shall not be construed to permit the Agency to terminate this Agreement to acquire similar services from another party.

C. Indemnification. The Vendor shall indemnify, defend and hold harmless the State, the Agency, and their officers, agents, employees, successors and assignees from any and all claims, lawsuits, losses and liability arising out of Vendor's failure to perform any of Vendor's duties or obligations, including but not limited to any claims, lawsuits, losses or liability arising out of Vendor's malpractice.

D. Ownership of Documents/Work Product/Materials. All documents, reports, records, field notes, data, samples, specimens, and materials of any kind resulting from the performance of this Agreement are at all times the property of the Agency.

E. Sovereign Immunity. The State of Wyoming and the Wyoming Department of Education do not waive their sovereign immunity by entering into this Agreement, and each fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.

F. Third Party Beneficiary Rights. The parties do not intend to create in any other individual or entity the status of third beneficiary, and this Agreement shall not be construed so as to create such status. The rights, duties and obligations contained in this Agreement shall operate only between the parties to this Agreement, and shall inure solely to the benefit of the parties to this Agreement. The provisions of this Agreement are intended only to assist the parties in determining and performing their obligations under this Agreement. The parties to this Agreement intend and expressly agree that only parties signatory to this Agreement shall have any legal or equitable right to seek to enforce this Agreement, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this Agreement, or to bring an action for breach of this Agreement.

G. Waiver. The waiver of any breach of any term or condition in this Agreement shall not be deemed a waiver of any prior or subsequent breach.

Signatures: By signing this Agreement, the parties certify that they have read and understood it, that they agree to be bound by the terms of the Agreement, and that they have the authority to sign it.

The effective date of this Agreement is the date of the signature last affixed to this page.

_____	_____
Michelle Kiggins	Date
_____	_____
Program Manager Signature	Date
_____	_____
Agency Director/Designee	Date

**ACTION SUMMARY SHEET
STATE BOARD OF EDUCATION**

DATE: August 29, 2012

ISSUE: AWEC Contract for Assistance to the Accountability Project

BACKGROUND:

SUGGESTED MOTION/RECOMMENDATION:

I move that the State Board of Education approve an amendment by substitution of the revised Attachment B for the existing Attachment B of the AWEC contract.

SUPPORTING INFORMATION ATTACHED:

- Responsibilities of the contractor (Attachment B)

PREPARED BY: *Chelsie Bailey*
Chelsie Bailey, Executive Assistant

APPROVED BY: _____
John Masters
State Board of Education Liaison

ACTION TAKEN BY STATE BOARD: _____ **DATE:** _____

COMMENTS:

Attachment B
Responsibilities of Rebecca Glasgow, Contractor

Responsibilities of Contractor

- Provide support to the Wyoming State Board of Education through the Wyoming Department of Education related to implementation of the Wyoming Accountability in Education Act.
- Act as a liaison for the Wyoming State Board of Education through the Wyoming Department of Education in working with the legislature, legislative service office, students, parents, teachers, administrators, school district boards and others as requested or designated by Wyoming State Board of Education through the Wyoming Department of Education.
- Support and assist in gathering information and data necessary for the Wyoming State Board of Education, the Wyoming Department of Education, Dr. Michael Beck and the Wyoming education accountability professional judgment panel.
- Coordinate meetings of stakeholder group, Wyoming State Board of Education, and the Wyoming education accountability professional judgment panel with staff of Wyoming Department of Education.
- Assist in discussions related to issues developed in continued work of the legislature related to the Wyoming Accountability in Education Act.
- Assist in coordinating the development of the growth model used to create performance index of Wyoming schools, including conduct and attendance upon request at public meetings within Wyoming.
- Coordinate contracts related to development and refinement of the growth model used to create performance index of Wyoming schools.
- Work with State Board of Education staff and the Board upon request in furtherance of developing the accountability system within Wyoming educational system.
- Assist in providing advanced documentation to the State Board of Education for review by members and for discussion at meetings.
- Coordinate receipt of input from districts regarding issues surrounding Chapter 31.
- Perform such other duties as assigned by the Wyoming Department of Education leadership and the State Board of Education related to the Wyoming Accountability in Education Act.
- The completion of the assistance to the State Board of Education from this AWEC contract will occur on October 15, 2012.

INTENTIONALLY LEFT BLANK



Wyoming Department of Education

Cindy Hill, Superintendent of Public Instruction
Hathaway Building, 2nd Floor, 2300 Capitol Avenue
Cheyenne WY 82002-0050

Phone: 307-777-7675 Fax: 307-777-6234 Website: edu.wyoming.gov

August 23, 2012

Members of the State Board of Education:

After consideration of how I can provide support to the State Board of Education (SBE), it was determined that I would assist Dr. Paige Fenton Hughes and Dr. Michael Beck with gathering data and information for the Professional Judgment Panel (PJP). This data and information will be collected and received by September 1, 2012.

The data that will be collected pertains to achievement, growth and college and career readiness. The Wyoming Department of Education (WDE), Dr. Fenton Hughes and Dr. Beck had a meeting on the afternoon of August 22, 2012 discussing topics related to the three data sections listed above. During this meeting information was requested regarding business rules, calculations, reporting procedures and definitions. If requested, members of the WDE will directly relay the information or I will deliver this information, on behalf of those members, to Dr. Beck.

The request for data and information was recently received by the WDE from Dr. Fenton Hughes. This request was processed immediately and work on this collaborative project began prior to and after the August 22, 2012 meeting.

The request for data and information to be received by September 1, 2012 will be fulfilled by the WDE. I will handle the data and information distribution as well as any other pertinent collaborative efforts.

Other potential efforts will be provided by assisting in the preparation of PJP documents, such as Memorandum of Agreements (MOAs) and vendor forms for future payments. I will provide any other assistance or information that is needed by the SBE, Dr. Fenton Hughes, Dr. Beck or Chelsie Bailey.

I look forward to assisting the State Board of Education by providing Dr. Michael Beck with the data and information necessary to complete his work with the Professional Judgment Panel. If there are any questions about the work being performed the State Board of Education may contact John Masters, Dr. Paige Fenton Hughes or myself.

Thank you for your time and consideration,

Rebecca Glasgow