



Wyoming State Board of Education

Policies of Governance

Adopted November 18, 2010



Wyoming State Board of Education

Policies of Governance

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BOARD LEGAL STATUS

Constitutional and Statutory Provisions:

§21-2-301. Appointment; qualifications, terms and removal of members; meetings; chairman.

(a) There is created a state board of education composed of twelve (12) voting members, eleven (11) of whom shall be appointed members with at least one (1) member appointed from each appointment district pursuant to W.S. 9-1-218. The remaining voting member of the board shall be the state superintendent of public instruction. One (1) appointed member shall be appointed at large and shall be a certified classroom teacher at the time of appointment. One (1) appointed member shall also be appointed at large and shall be a certified school administrator at the time of appointment. Two (2) appointed members shall be appointed at large and shall be representative of private business or industry in Wyoming. The remaining seven (7) appointed members of the board shall be appointed from among the lay citizens of the state who are electors of the state, known for their public spirit, business or professional ability and interest in education. Not more than six (6) appointed members of the board shall be from one (1) political party. Members shall be appointed for six (6) year terms, except those who may be appointed to fill unexpired terms. Members shall be appointed by the governor with the approval of the senate. Vacancies shall be filled by the governor without senate approval until the next session of the legislature. No member is eligible to reappointment, except any member appointed to fill an unexpired term of less than six (6) years and the term expires on or after January 1, 1996, may be reappointed for one (1) additional six (6) year term. Appointed members of the board may be removed by the governor as provided in W.S. 9-1-202.

(b) During the first quarter of the calendar year a meeting shall be held at which a chairman shall be elected. Meetings may be held at regular intervals as often as the duties of the board require and the board shall meet at the call of the state superintendent of public instruction or the governor or the chairman whenever in the opinion of these officials, or any of them, the need for such meeting exists.

(c) Notwithstanding subsection (a) of this section, the superintendent of public instruction shall not participate in board deliberations on or vote on any matter relating to a contested case involving actions of the department of education.

State Board Policy:

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 uphold the duties and the laws of the state of Wyoming based on statutes governing operations of the Wyoming State Board of Education.

POWERS AND DUTIES

Constitutional and Statutory Provisions:

§21-2-304. Duties of the state board of education.

(a) The state board of education shall:

(i) Establish policies for public education in this state consistent with the Wyoming Constitution and statutes and may promulgate policies necessary or desirable for the proper and effective implementation of this title and its responsibilities under this title. Nothing in this section shall give the state board rulemaking authority in any area specifically delegated to the state superintendent;

(ii) 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 in the public schools of this state, including any educational institution receiving any state funds except for the University of Wyoming and Wyoming community colleges. The board shall ensure that educational programs offered by public schools in accordance with these standards provide students an opportunity to acquire sufficient knowledge and skills, at a minimum, to enter the University of Wyoming and Wyoming community colleges, to prepare students for the job market or postsecondary vocational and technical training and to achieve the general purposes of education that equips students for their role as a citizen and participant in the political system and to have the opportunity to compete both intellectually and economically in society;

(iii) By policy and regulation and in consultation and coordination with local school districts, 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 promulgate uniform standards for programs addressing the special needs of student populations specified under W.S. 21-9-101(c) that ensure these student populations are provided the opportunity to learn the common core knowledge and skills as prescribed by the uniform student content and performance standards pursuant to this paragraph. Student content and performance standards prescribed under this paragraph shall include standards for graduation from any high school within any school district of this state and shall describe required performance levels in order to achieve proficiency of the common core of knowledge and common core of skills prescribed under W.S. 21-9-101(b). The ability to prescribe content and performance standards shall not be construed to give the state board of education the authority to prescribe textbooks or curriculum which the state board is hereby forbidden to do. Graduation standards imposed under this paragraph shall require the successful completion of the following components, as evidenced by passing grades or by the successful performance on competency-based equivalency examinations:

- (A) Four (4) school years of English;
- (B) Three (3) school years of mathematics;
- (C) Three (3) school years of science; 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.

(iv) Establish, in consultation with local school districts, requirements for students to earn a high school diploma as measured by each district's body of evidence assessment system prescribed by policy and regulation of the state board and required under W.S. 21-3-110(a)(xxiv). A high school diploma shall provide for one (1) of the following endorsements which shall be stated on the transcript of each student:

(A) Advanced endorsement which requires a student to demonstrate advanced performance in a majority of the areas of the common core of knowledge and skills specified under W.S. 21-9-101(b) and proficient performance in the remaining areas of the specified common core of knowledge and skills, as defined by the uniform student content and performance standards promulgated by the state board pursuant to paragraph (a)(iii) of this section;

(B) Comprehensive endorsement which requires a student to demonstrate proficient performance in all areas of the common core of knowledge and skills specified under W.S. 21-9-101(b) as defined by the uniform student content and performance standards promulgated by the state board pursuant to paragraph (a)(iii) of this section;

(C) General endorsement which requires a student to demonstrate proficient performance in a majority of the areas of the common core of knowledge and skills specified under W.S. 21-9-101(b) as defined by the uniform student content and performance standards promulgated by the state board pursuant to paragraph (a)(iii) of this section.

(v) Through the state superintendent and in consultation and coordination with local school districts, implement a statewide assessment system comprised of a coherent system of measures that when combined, provide a reliable and valid measure of individual student achievement for each public school and school district within the state, and the performance of the state as a whole. Improvement of teaching and learning in schools and fostering school program improvement shall be the primary purposes of statewide assessment of student performance in Wyoming. The statewide assessment system shall:

(A) Measure individual student performance and progress in a manner substantially aligned with the uniform educational program and student content and performance standards imposed by law and by board policy and regulation;

(B) Be administered at appropriate levels at specified grades and at appropriate intervals aligned to the standards, specifically assessing student performance in reading, writing and mathematics at grades four (4), eight (8) and eleven (11), and effective school year 2005-2006, and each school year thereafter, assessing student performance in reading, writing and mathematics at grades three (3) through eight (8) and at grade eleven (11). In addition and commencing school year 2007-2008 and each school year thereafter, the statewide assessment system shall assess student performance in science not less than once within

each grade band for grades three (3) through five (5), grades six (6) through eight (8) and grades ten (10) through twelve (12). The structure and design of the assessment system shall allow for the comprehensive measurement of student performance through assessments that are administered each school year simultaneously on a statewide basis and through assessments administered periodically over the course of the school year which are designed to provide a more comprehensive and in-depth measurement of subject areas aligned to the state content and performance standards. The assessment system may also measure the other common core of knowledge and skills established under W.S. 21-9-101(b) which can be quantified;

(C) In addition to subparagraph (a)(v)(B) of this section, measure student performance in Wyoming on a comparative basis with student performance nationally;

(D) Measure year-to-year changes in student performance and progress in the subjects specified under subparagraph (a)(v)(B) of this section and compare and evaluate student achievement during the process of student advancement through grade levels. The assessment system shall ensure the integrity of student performance measurements used at each grade level to enable valid year-to-year comparisons;

(E) Include multiple measures and item types including grade appropriate multiple choice and open-ended testing such as constructed-response, extended-response and performance-based tasks, to ensure alignment to the statewide student content and performance standards;

(F) Provide a fair and unbiased assessment of student performance without regard to race, ethnicity, limited English proficiency and socioeconomic status;

(G) Provide appropriate accommodations or alternative assessments to enable the assessment of students with disabilities as specified under W.S. 21-9-101(c)(i) and students with limited English proficiency;

(H) Provide a measure of accountability to enhance teaching and learning in Wyoming and in combination with other measures and information, assist school districts in determining individual student progress. The assessment results shall be reported to students, parents, schools, school districts and the public in an accurate, complete and timely manner and shall be used in conjunction with a school district's annual assessment to design educational strategies for improvement and enhancement of student performance. This design for improvement shall be part of each district's school improvement plan. In consultation and coordination with school districts, the board shall review and evaluate the assessment system regularly and based upon uniform statewide reports from each district, annually report to the legislature on student performance at specified grade levels and on school improvement plans.

(vi) Effective school year 2005-2006 and each school year thereafter, through the state superintendent and in consultation and coordination with local school districts, by policy and regulation establish a statewide accountability system providing annual

accountability determinations for all schools and school districts imposing a range of educational consequences resulting from accountability determinations whereby:

(A) The continuous improvement of student achievement at all schools and appropriate educational interventions fostering continuous improvement serve as the basis for statewide accountability system design;

(B) Annual accountability determinations within the system are made for each school based upon adequate yearly progress measures defined by the federal No Child Left Behind Act of 2001, as may be subsequently amended, and the school's progress in improving student achievement as measured by adequate yearly progress data and by data from the district's body of evidence assessment system required under W.S. 21-3-110(a)(xxiv) and from other related sources which improve the reliability of accountability determinations as prescribed by policy and regulation of the board;

(C) To the extent possible, appropriate consequences resulting from accountability determinations are made subject to the discretion of school districts. The system shall establish a range of consequences which increase in the degree of intensity over time, with significant interventions imposed only upon repeated failure to meet school improvement and performance criteria over a consecutive period of time;

(D) Teacher and administrator quality and student remediation are the focus of consequences imposed upon schools failing to meet school improvement and performance criteria and target levels;

(E) A range of rewards is provided to schools meeting school improvement and performance criteria at levels set by the state board.

(b) In addition to subsection (a) of this section and any other duties assigned to it by law, the state board shall:

(i) Repealed By Laws 1997 Special Session, ch. 3, 302; 1994, ch. 17, 2.

(ii) Enforce the uniform state educational program standards imposed by W.S. 21-9-101 and 21-9-102 and the uniform student content and performance standards established by policies and regulations adopted under subsection (a) of this section by taking appropriate administrative action with the state superintendent, including but not limited to the changing of accreditation status;

(iii) Repealed by Laws 1993, ch. 217, 3.

(iv) Repealed by Laws 1987, ch. 190, 2, 5.

(v) Initiate or facilitate discussions regarding the needs of and the means for improving education;

(vi) Repealed by Laws 1987, ch. 190, 2, 5.

(vii) Repealed by Laws 1994, ch. 17, 2.

(viii) Approve or disapprove alternative scheduling for school districts requesting to operate for fewer than one hundred seventy-five (175) days in school year, but no schedule shall be approved which reduces the pupil-teacher contact time defined by the state board;

(ix) Repealed by Laws 1994, ch. 17, 2.

(x) Repealed by Laws 2006, Chapter 34, 2.

(xi) Repealed by Laws 1994, ch. 17, 2.

(xii) Repealed by Laws 1994, ch. 17, 2.

(xiii) Repealed by Laws 1994, ch. 17, 2.

(xiv) Establish improvement goals for public schools for assessment of student progress based upon the national assessment of educational progress testing program and the statewide assessment system established under paragraph (a)(v) of this section;

(xv) Promulgate policies and regulations for the development, assessment and approval of school district teacher performance evaluation systems. Policies and regulations adopted under this paragraph shall allow each district flexibility in developing an evaluation system which meets the individual needs of the district;

(xvi) Through the state superintendent, implement, administer and supervise education programs and services for adult visually handicapped and adult hearing impaired persons within the state.

(c) The state board shall perform an ongoing review of state board duties prescribed by law and may make recommendations to the legislature on board duties. In addition and not less than once every five (5) years, the board shall evaluate and review the uniformity and quality of the educational program standards imposed under W.S. 21-9-101 and 21-9-102 and the student content and performance standards promulgated under paragraph (a)(iii) of this section, and shall report findings and recommendations to the joint education interim committee of the legislature on or before December 1 of the year in which the review and evaluation was undertaken. The joint education interim committee shall report its recommendations, based upon findings and recommendations of the state board, to the legislature during the immediately following legislative session.

(d) Repealed by Laws 1994, ch. 17, 2.

(e) In addition to subsections (a) and (b) of this section, the state board shall establish statewide goals for Wyoming public education.

State Board Policy:

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

BOARD MEMBER METHOD OF SELECTION (INCLUDING VACANCY)

Constitutional and Statutory Provisions:

§ 21-2-301. Appointment, qualifications, terms and removal of members, meetings; chairman.

(a) There is created a state board of education composed of twelve (12) voting members, eleven (11) of whom shall be appointed members with at least one (1) member appointed from each appointment district pursuant to W.S. 9-1-218. The remaining voting member of the board shall be the state superintendent of public instruction. One (1) appointed member shall be appointed at large and shall be a certified classroom teacher at the time of appointment. One (1) appointed member shall also be appointed at large and shall be a certified school administrator at the time of appointment. Two (2) appointed members shall be appointed at large and shall be representative of private business or industry in Wyoming. The remaining seven (7) appointed members of the board shall be appointed from among the lay citizens of the state who are electors of the state, known for their public spirit, business or professional ability and interest in education. Not more than six (6) appointed members of the board shall be from one (1) political party. Members shall be appointed for six (6) year terms, except those who may be appointed to fill unexpired terms. Members shall be appointed by the governor with the approval of the senate. Vacancies shall be filled by the governor without senate approval until the next session of the legislature. No member is eligible to reappointment, except any member appointed to fill an unexpired term of less than six (6) years and the term expires on or after January 1, 1996, may be reappointed for one (1) additional six (6) year term. Appointed members of the board may be removed by the governor as provided in W.S. 9-1-202.

(b) During the first quarter of the calendar year a meeting shall be held at which a chairman shall be elected. Meetings may be held at regular intervals as often as the duties of the board require and the board shall meet at the call of the state superintendent of public instruction or the governor or the chairman whenever in the opinion of these officials, or any of them, the need for such meeting exists.

(c) Notwithstanding subsection (a) of this section, the superintendent of public instruction shall not participate in board deliberations on or vote on any matter relating to a contested case involving actions of the department of education.

VACANCY - *Any vacancy shall be filled in the same manner as the original appointment for the unexpired portion of the term.*

State Board Policy:

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

BOARD MEMBER RESIGNATION

Constitutional and Statutory Provisions:

Interim Executive Order 1997-4 adopting the Executive Branch Code of Ethics

State Board Policy:

Resignation from the State Board of Education by a Member:

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.

REMOVAL FROM OFFICE OF A BOARD MEMBER

Constitutional and Statutory Provisions:

§9-1-202. Removal of appointive officers and commissioners; reason for removal to be filed.

(a) Notwithstanding any other provision of law and except as otherwise provided in this section, any person may be removed by the governor, at the governor's pleasure, if appointed by the governor to serve as head of a state agency, department or division, or as a member of a state board or commission. The governor may only remove a member of the Wyoming business council as provided in W.S. 9-12-103.

(b) 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.

State Board Policy:

A board member may be excused from attending a board meeting by the Chair. The Chair's decision not to excuse a board member from attendance at a board meeting may be appealed to the entire Board.

If a board member misses three meetings in a calendar year without an excused absence, the Chair shall request his/her resignation and notify the Governor that such action has been taken.

OFFICERS OF THE BOARD

Constitutional and Statutory Provisions:

§21-2-301. Appointment, qualifications, terms and removal of members, meetings; chairman.

(b) During the first quarter of the calendar year a meeting shall be held at which a chairman shall be elected. Meetings may be held at regular intervals as often as the duties of the board require and the board shall meet at the call of the state superintendent of public instruction or the governor or the chairman whenever in the opinion of these officials, or any of them, the need for such meeting exists.

State Board Policy:

Officers of the State Board of Education shall consist of Chair, Vice-Chair, and the Treasurer.

METHOD OF ELECTION OF OFFICERS

Constitutional and Statutory Provisions:

State Board Policy:

At its first regular meeting of each fiscal 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. At the November meeting, 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 to the first meeting of the fiscal 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. At the first meeting 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 currently have served at four quarterly meetings 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.

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.*

DUTIES OF THE BOARD CHAIR

Constitutional and Statutory Provisions:

§21-2-301 Appointment; qualifications, terms and removal of members; meetings; chairman.

(b) During the first quarter of the calendar year a meeting shall be held at which a chairman shall be elected. Meetings may be held at regular intervals as often as the duties of the board require and the board shall meet at the call of the state superintendent of public instruction or the governor or the chairman whenever in the opinion of these officials, or any of them, the need for such meeting exists.

State Board Policy:

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, in consultation with the State Superintendent, Department Liaison, and Board Attorney develop and recommend approval of the agenda for the regular meeting of the Board at a pre-brief at least two weeks prior to the meeting of the Board. The Board shall approve the agenda at the commencement of each meeting.

The Chair shall, in consultation with the State Superintendent, Department Liaison, and Board Attorney hold a debrief within a month following the meeting of the Board.

The Chair shall sign all contracts that the Board is authorized to execute.

The Chair 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.

DUTIES OF THE BOARD VICE-CHAIR

Constitutional and Statutory Provisions:

State Board Policy:

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.

DUTIES OF THE BOARD TREASURER

Constitutional and Statutory Provisions:

State Board Policy:

The Board Treasurer will review the expenditure reports 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.

DUTIES OF BOARD MEMBERS

Constitutional and Statutory Provisions:

§21-2-302 Quorum; majority vote.

A majority of the number of voting members of the state board shall constitute a quorum for the transaction of business. A majority vote of the entire state board shall be required for official action.

§16-4-403 Meetings to be open; participation by public; minutes.

(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.

§21-2-304 Duties of the state board of education.

(a) The state board of education shall:

(i) Establish policies for public education in this state consistent with the Wyoming Constitution and statutes and may promulgate policies necessary or desirable for the proper and effective implementation of this title and its responsibilities under this title. Nothing in this section shall give the state board policymaking authority in any area specifically delegated to the state superintendent;

(ii) 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 in the public schools of this state, including any educational institution receiving any state funds except for the University of Wyoming and Wyoming community colleges. The board shall ensure that educational programs offered by public schools in accordance with these standards provide students an opportunity to acquire sufficient knowledge and skills, at a minimum, to enter the University of Wyoming and Wyoming community colleges, to prepare students for the job market or postsecondary vocational

and technical training and to achieve the general purposes of education that equips students for their role as a citizen and participant in the political system and to have the opportunity to compete both intellectually and economically in society;

(iii) By policy and regulation and in consultation and coordination with local school districts, 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 promulgate uniform standards for programs addressing the special needs of student populations specified under W.S. 21-9-101(c) that ensure these student populations are provided the opportunity to learn the common core knowledge and skills as prescribed by the uniform student content and performance standards pursuant to this paragraph. Student content and performance standards prescribed under this paragraph shall include standards for graduation from any high school within any school district of this state and shall describe required performance levels in order to achieve proficiency of the common core of knowledge and common core of skills prescribed under W.S. 21-9-101(b). The ability to prescribe content and performance standards shall not be construed to give the state board of education the authority to prescribe textbooks or curriculum which the state board is hereby forbidden to do. Graduation standards imposed under this paragraph shall require the successful completion of the following components, as evidenced by passing grades or by the successful performance on competency-based equivalency examinations:

(A) Four (4) school years of English;

(B) Three (3) school years of mathematics;

(C) Three (3) school years of science; 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.

(iv) Establish, in consultation with local school districts, requirements for students to earn a high school diploma as measured by each district's body of evidence assessment system prescribed by policy and regulation of the state board and required under W.S. 21-3-110(a)(xxiv). A high school diploma shall provide for one (1) of the following endorsements which shall be stated on the transcript of each student:

(A) Advanced endorsement which requires a student to demonstrate advanced performance in a majority of the areas of the common core of knowledge and skills specified under W.S. 21-9-101(b) and proficient performance in the remaining areas of the specified common core of knowledge and skills, as defined by the uniform student content and performance standards promulgated by the state board pursuant to paragraph (a)(iii) of this section;

(B) Comprehensive endorsement which requires a student to demonstrate proficient performance in all areas of the common core of knowledge and skills specified under W.S. 21-9-101(b) as defined by the uniform student content and performance standards promulgated by the state board pursuant to paragraph (a)(iii) of this section;

(C) General endorsement which requires a student to demonstrate proficient performance in a majority of the areas of the common core of knowledge and skills specified under W.S. 21-9-101(b) as defined by the uniform student content and performance standards promulgated by the state board pursuant to paragraph (a)(iii) of this section.

(v) Through the state superintendent and in consultation and coordination with local school districts, implement a statewide assessment system comprised of a coherent system of measures that when combined, provide a reliable and valid measure of individual student achievement for each public school and school district within the state, and the performance of the state as a whole. Improvement of teaching and learning in schools and fostering school program improvement shall be the primary purposes of statewide assessment of student performance in Wyoming. The statewide assessment system shall:

(A) Measure individual student performance and progress in a manner substantially aligned with the uniform educational program and student content and performance standards imposed by law and by board policy and regulation;

(B) Be administered at appropriate levels at specified grades and at appropriate intervals aligned to the standards, specifically assessing student performance in reading, writing and mathematics at grades four (4), eight (8) and eleven (11), and effective school year 2005-2006, and each school year thereafter, assessing student performance in reading, writing and mathematics at grades three (3) through eight (8) and at grade eleven (11). In addition and commencing school year 2007-2008 and each school year thereafter, the statewide assessment system shall assess student performance in science not less than once within each grade band for grades three (3) through five (5), grades six (6) through eight (8) and grades ten (10) through twelve (12). The structure and design of the assessment system shall allow for the comprehensive measurement of student performance through assessments that are administered each school year simultaneously on a statewide basis and through assessments administered periodically over the course of the school year which are designed to provide a more comprehensive and in-depth measurement of subject areas aligned to the state content and performance standards. The assessment system may also measure the other common core of knowledge and skills established under W.S. 21-9-101(b) which can be quantified;

(C) In addition to subparagraph (a)(v)(B) of this section, measure student performance in Wyoming on a comparative basis with student performance nationally;

(D) Measure year-to-year changes in student performance and progress in the subjects specified under subparagraph (a)(v)(B) of this section and compare and evaluate student achievement during the process of student advancement through grade levels. The assessment system shall ensure the integrity of student performance measurements used at each grade level to enable valid year-to-year comparisons;

(E) Include multiple measures and item types including grade appropriate multiple choice and open-ended testing such as constructed-response,

extended-response and performance-based tasks, to ensure alignment to the statewide student content and performance standards;

(F) Provide a fair and unbiased assessment of student performance without regard to race, ethnicity, limited English proficiency and socioeconomic status;

(G) Provide appropriate accommodations or alternative assessments to enable the assessment of students with disabilities as specified under W.S. 21-9-101(c)(i) and students with limited English proficiency;

(H) Provide a measure of accountability to enhance teaching and learning in Wyoming and in combination with other measures and information, assist school districts in determining individual student progress. The assessment results shall be reported to students, parents, schools, school districts and the public in an accurate, complete and timely manner and shall be used in conjunction with a school district's annual assessment to design educational strategies for improvement and enhancement of student performance. This design for improvement shall be part of each district's school improvement plan. In consultation and coordination with school districts, the board shall review and evaluate the assessment system regularly and based upon uniform statewide reports from each district, annually report to the legislature on student performance at specified grade levels and on school improvement plans.

(vi) Effective school year 2005-2006 and each school year thereafter, through the state superintendent and in consultation and coordination with local school districts, by policy and regulation establish a statewide accountability system providing annual accountability determinations for all schools and school districts imposing a range of educational consequences resulting from accountability determinations whereby:

(A) The continuous improvement of student achievement at all schools and appropriate educational interventions fostering continuous improvement serve as the basis for statewide accountability system design;

(B) Annual accountability determinations within the system are made for each school based upon adequate yearly progress measures defined by the federal No Child Left Behind Act of 2001, as may be subsequently amended, and the school's progress in improving student achievement as measured by adequate yearly progress data and by data from the district's body of evidence assessment system required under W.S. 21-3-110(a)(xxiv) and from other related sources which improve the reliability of accountability determinations as prescribed by policy and regulation of the board;

(C) To the extent possible, appropriate consequences resulting from accountability determinations are made subject to the discretion of school districts. The system shall establish a range of consequences which increase in the degree of intensity over time, with significant interventions imposed only upon repeated failure to meet school improvement and performance criteria over a consecutive period of time;

(D) Teacher and administrator quality and student remediation are the focus of consequences imposed upon schools failing to meet school improvement and performance criteria and target levels;

(E) A range of rewards is provided to schools meeting school improvement and performance criteria at levels set by the state board.

(b) In addition to subsection (a) of this section and any other duties assigned to it by law, the state board shall:

(i) Repealed By Laws 1997 Special Session, ch. 3, 302; 1994, ch. 17, 2.

(ii) Enforce the uniform state educational program standards imposed by W.S. 21-9-101 and 21-9-102 and the uniform student content and performance standards established by policies and regulations adopted under subsection (a) of this section by taking appropriate administrative action with the state superintendent, including but not limited to the changing of accreditation status;

(iii) Repealed by Laws 1993, ch. 217, 3.

(iv) Repealed by Laws 1987, ch. 190, 2, 5.

(v) Initiate or facilitate discussions regarding the needs of and the means for improving education;

(vi) Repealed by Laws 1987, ch. 190, 2, 5.

(vii) Repealed by Laws 1994, ch. 17, 2.

(viii) Approve or disapprove alternative scheduling for school districts requesting to operate for fewer than one hundred seventy-five (175) days in school year, but no schedule shall be approved which reduces the pupil-teacher contact time defined by the state board;

(ix) Repealed by Laws 1994, ch. 17, 2.

(x) Repealed by Laws 2006, Chapter 34, 2.

(xi) Repealed by Laws 1994, ch. 17, 2.

(xii) Repealed by Laws 1994, ch. 17, 2.

(xiii) Repealed by Laws 1994, ch. 17, 2.

(xiv) Establish improvement goals for public schools for assessment of student progress based upon the national assessment of educational progress testing program and the statewide assessment system established under paragraph (a)(v) of this section;

(xv) Promulgate policies and regulations for the development, assessment and approval of school district teacher performance evaluation systems. Policies and regulations

adopted under this paragraph shall allow each district flexibility in developing an evaluation system which meets the individual needs of the district;

(xvi) Through the state superintendent, implement, administer and supervise education programs and services for adult visually handicapped and adult hearing impaired persons within the state.

(c) The state board shall perform an ongoing review of state board duties prescribed by law and may make recommendations to the legislature on board duties. In addition and not less than once every five (5) years, the board shall evaluate and review the uniformity and quality of the educational program standards imposed under W.S. 21-9-101 and 21-9-102 and the student content and performance standards promulgated under paragraph (a)(iii) of this section, and shall report findings and recommendations to the joint education interim committee of the legislature on or before December 1 of the year in which the review and evaluation was undertaken. The joint education interim committee shall report its recommendations, based upon findings and recommendations of the state board, to the legislature during the immediately following legislative session.

(d) Repealed by Laws 1994, ch. 17, 2.

(e) In addition to subsections (a) and (b) of this section, the state board shall establish statewide goals for Wyoming public education.

§21-2-306 Reports of the state superintendent and state board.

The state superintendent and the state board shall, in accordance with W.S. 9-2-1014, report to the governor and recommend such legislation concerning education and appropriations for educational activities as they may deem appropriate.

State Board Policy:

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 agenda items sent to board members prior to each meeting.
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.
6. Provide information on Board activities to the Chair and Superintendent of each school district (s)he represents.

7. Board members who need specific information from the Wyoming State Department staff can contact the Board Secretary, the Deputy Superintendent, the Department Liaison, or the Division Director. If the Board member feels the response is not satisfactory, he/she will then contact the Chair for assistance.

NEW BOARD MEMBER ORIENTATION

Constitutional and Statutory Provisions:

State Board Policy:

The Chair, with the assistance of the State Superintendent and Department Liaison, shall provide an orientation for new board members before their first board meeting.

BOARD MEMBERS COMPENSATION AND EXPENSES

Constitutional and Statutory Provisions:

§21-2-303. Expenses.

All appointed members of the state board shall receive travel expenses, per diem and mileage expense in the same manner as employees of the state.

§9-3-102. Meal allowance; actual expenses; exceptions.

(a) Unless otherwise provided by law, when any state officer or employee is required to travel on overnight trips for official business of the state, he is entitled to receive in addition to transportation expenses as provided by W.S. 9-3-103, lodging expenses, an allowance for meals and incidental expenses and other reimbursable expenses. The lodging and meal and incidental expense allowance shall be as determined by the governor for the state and by the governing body of any other entity using the state rate for that entity, but shall not exceed the published federal travel regulation rates in effect at the time of travel. The meal and incidental expense allowance shall be computed so as to pay seventy-five percent (75%) of the destination rate on the day of departure, one hundred percent (100%) on all interim days of official travel and seventy-five percent (75%) of the previous day's rate on the day of return. Lodging expenses shall be reimbursed up to the amount prescribed in the federal travel regulation as provided in this subsection. The head of the respective agency may approve lodging expenses in excess of the published rate. In addition:

(i) Meal expenses, either directly billed to the state, or included in registration, seminar and conference fees paid by the state on behalf of the state officer or employee are considered part of the meal and incidental expense allowance and shall be deducted from the allowance claim of the state officer or employee;

(ii) The head of the agency to be charged for the expense, or his designee, shall approve the claim for payment. State officers or employees shall not approve their own claims. The head of the agency is responsible to determine the veracity of each claim;

(iii) Any reimbursable expenses claimed in excess of fifteen dollars (\$15.00) shall be supported by original vendor receipts or a sworn statement attesting to the expense, signed under penalty of false swearing by the claimant, and shall be attached to the voucher submitted to the state auditor for payment.

(b) Instead of the full meal and incidental expense allowance specified in subsection (a) of this section, the state officer or employee will be reimbursed for actual expenses for meals and gratuities while conducting official business of the state, not to exceed seventy-five percent (75%) of the daily meal and incidental expense allowance for the location of the official business if the officer or employee:

(i) Is required to travel on a one (1) day trip of twenty-four (24) hours or less during which it is reasonable to assume no sleep or rest is required; or

(ii) Repealed By Laws 2001, Ch. 101, 2.

(iii) Is required to eat a meal at an official meeting of a state committee, commission, board or council held in the community of the state officer's or employee's official domicile.

(c) Repealed by Laws 1983, ch. 102, 2.

(d) Actual expenses in excess of the amounts specified in subsection (a) of this section may be reimbursed for in-state or out-of-state travel, with the prior approval of the agency director if:

(i) Specific prior trip approval has been given by the head of the respective agency if the agency is within the executive branch, the management council for the legislative branch and the chief justice of the supreme court for the judicial branch; and

(ii) The original itemized vendor receipts supporting amounts claimed for lodging and employee meals and gratuities where the total amount of the meal and gratuity exceeds fifteen dollars (\$15.00), accompany the claim submitted to the state auditor for payment. No reimbursement shall be claimed or paid for any alcoholic beverage.

(e) Claims for lodging and meal and incidental expense allowance or actual expense reimbursement shall be submitted to the state auditor for payment in the manner and form prescribed by him.

(f) This section does not apply to the state transportation and game and fish departments.

(g) Any voucher for reimbursement under this section or W.S. 9-3-103 shall be signed and certified under penalty of false swearing pursuant to W.S. 6-5-303.

(h) As used in the section:

(i) "Destination" means the location of the employee at midnight, or if still traveling at midnight, the location where lodging is secured;

(ii) "Incidental expense" means fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships and hotel servants in foreign countries;

(iii) "Meal" means expenses for breakfast, lunch, dinner and related tips and taxes, but does not include expenses incurred for alcoholic beverages, entertainment or any expenses incurred for other persons;

(iv) "Reimbursable expenses" means other expenses that are inherently travel related and not included in the meal and incidental expense allowance.

§9-3-103. Transportation expenses; limitation on longevity or length-of-service allowances.

(a) Any state, county or precinct officer or employee required to travel in the performance of the duties of his office is entitled to receive reimbursement for all actual and necessary transportation expenses incurred as provided by one (1) of the following methods:

(i) If common carrier transportation is used, the actual expense not to exceed economy fare charged the general public is reimbursable. If deluxe accommodations are desired,

the amount exceeding economy fare shall be paid personally by the officer or employee. Passenger coupons issued by the transportation company or an official fare receipt shall accompany the claim submitted to the state auditor or the board of county commissioners for audit and payment. With prior approval of the respective executive agency head, the management council or the chief justice of the supreme court, actual expenses in excess of the economy fare may be reimbursed;

(ii) If rented, chartered or contracted vehicle transportation is used, reimbursement is limited to reasonable rates determined by the administrative head of the governmental unit where claim is submitted. The vendor's official receipt for charges shall accompany the claim submitted to the state auditor or board of county commissioners for audit and payment;

(iii) If private vehicle transportation is used, reimbursement shall be as determined by the governor for the state and by the governing body of any other entity, based on a mileage allowance not to exceed the maximum nontaxable rates allowed by the internal revenue service at the time of travel.

(A) Repealed By Laws 2001, Ch. 23, 2.

(B) Repealed By Laws 2001, Ch. 23, 2.

(C) Repealed By Laws 2001, Ch. 23, 2.

(b) At the discretion of the administrative head of the governmental unit in which claim is submitted, reimbursement may be authorized for actual but necessary vehicle parking fees, car wash expenses, toll fees, taxi fares and taxi driver tips.

(c) Before any claim for transportation expenses is paid, the claimant shall present to the state auditor or the board of county commissioners for audit and payment a verified claim made out in separate items properly dated. The value of each item shall be specifically described to the satisfaction of the auditing officer or board to indicate that the expense has been properly incurred for the benefit of the state or county in pursuance of the claimant's official duties.

State Board Policy:

BUDGET GUIDELINES AND GENERAL POLICIES FOR REIMBURSEMENT

Printing

Agenda guides (colored tabs sent with packets) are to be recycled by returning them to the State Board of Education's executive assistant.

Room Rental

Meeting rooms are to be obtained without cost whenever possible.

Travel Reimbursement

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

Explanation: *When planning on attending a conference or meeting other than a regularly scheduled Board meeting or hearing, contact the executive assistant for the State Board and explain the proposed travel arrangements. The executive assistant will then figure the appropriate cost of the conference or meeting and contact the Board Chair for approval. The executive assistant will then notify the Board member of the approval.*

Meals

Meals may be reimbursed as to the State's meal allowance when traveling on official State Board of Education business.

Mileage

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

Lodging

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.

BOARD-STATE SUPERINTENDENT RELATIONS

Constitutional and Statutory Provisions:

State Board Policy:

The Board and State Superintendent shall "*cooperate fully at all times to the end that the State system of public education may constantly be improved.*"

The Chair will be contacted promptly on any correspondence and or meetings that involve the Wyoming State Board of Education.

ATTORNEY

Constitutional and Statutory Provisions:

§9-1-608 (b). Assistant attorneys general.

The State Attorney General represents the State Board and the State Board cannot retain other counsel without the Attorney General's approval.

With the approval of the governor the attorney general may appoint special assistant attorneys general for any purposes. A person shall not be employed as an attorney or legal counsel by any department, board, agency, commission or institution of the state, or represent the state in that capacity, except by the written appointment of the attorney general. Written appointment of the attorney general shall not be required for the employment of legal counsel by elected state officials.

State Board Policy:

Any board member may directly contact the Attorney for assistance.

BOARD MEETINGS

Constitutional and Statutory Provisions:

§16-4-403 Meetings to be open; participation by public; minutes.

(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.

State Board Policy:

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

The January/February meeting will be considered an annual meeting for purposes of the election of officers.

Regular Board Meetings

Regular meetings of the Board shall be held in January/February, April, June, September, and November of every year. The Board will be in consensus on the locations. The April meeting coincides with the Teacher of the Year Banquet.

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.

Special Board Meetings

Special meetings of the Board may be called by the Chair 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
- Invitation to the Governor to attend

April

- Charter Schools Update
- Accreditation 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 (usually held in Casper with WSBA)

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

Other topics

- Restructuring
- Common Core State Standards
- Common Core Skills
- Body of Evidence/Assessment
- Court Ordered Placement-Residential Treatment Center Approval
- Policies
- Boundary Changes

BOARD PUBLIC HEARINGS

Constitutional and Statutory Provisions:

§16-4-403. Meetings to be open; participation by public; minutes.

(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.

State Board Policy:

BOARD MEETING AGENDAS

Constitutional and Statutory Provisions:

§16-4-403. Meetings to be open; participation by public; minutes.

(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.

State Board Policy:

The Chair shall in consultation with the State Superintendent, Department Liaison, Innovative Connections and Support Director and Board Attorney develop and recommend approval of the agendas for meetings for the State Board of Education at least two weeks prior to the meeting in a scheduled briefing.

The Board will approve the agenda at the beginning of each meeting to the extent feasible. The Executive Assistant shall send to each board member a draft copy of the agenda and supportive documents one week prior to each board meeting.

One agenda for the working session of the meeting will contain items of a routine nature on which the Board has received sufficient background information. Any item that is not likely to need discussion and is not controversial is appropriate to place on the working agenda. Members may request clarification or explanation on any item. The Chair will entertain one motion and a second to approve all items on the working agenda as a whole. Any item may be removed from the working agenda by consensus of the Board.

One agenda for the business session of the meeting will contain items that will need discussion and could be controversial.

One 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.

There are certain items that are discussed at the same time every year. Below is a timeline outlining these items:

State Board of Education Timeline

January/February

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

April

- Charter Schools Update
- Accreditation 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 (usually held in Casper with WSBA)

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

Other topics

- Restructuring
- Common Core State Standards
- Common Core Skills
- Body of Evidence/Assessment
- Court Ordered Placement-Residential Treatment Center Approval
- Policies
- Boundary Changes

BOARD MEETING MINUTES

Constitutional and Statutory Provisions:

§16-4-403. Meetings to be open; participation by public; minutes.

(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.

State Board Policy:

The Executive Assistant 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 Office of the State Superintendent 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.

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; we will contact you at a later date. Thank you for understanding our procedures.

PUBLIC PARTICIPATION AT STATE BOARD MEETINGS

Constitutional and Statutory Provisions:

State Board Policy:

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 make its wishes known 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 announces 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.

EXECUTIVE SESSIONS

Constitutional and Statutory Provisions:

§16-4-405. Executive sessions.

(a) A governing body of an agency may hold executive sessions not open to the public:

(i) With the attorney general, county attorney, district attorney, city attorney, sheriff, chief of police or their respective deputies, or other officers of the law, on matters posing a threat to the security of public or private property, or a threat to the public's right of access;

(ii) To consider the appointment, employment, right to practice or dismissal of a public officer, professional person or employee, or to hear complaints or charges brought against an employee, professional person or officer, unless the employee, professional person or officer requests a public hearing. The governing body may exclude from any public or private hearing during the examination of a witness, any or all other witnesses in the matter being investigated. Following the hearing or executive session, the governing body may deliberate on its decision in executive sessions;

(iii) On matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party;

(iv) On matters of national security;

(v) When the agency is a licensing agency while preparing, administering or grading examinations;

(vi) When considering and acting upon the determination of the term, parole or release of an individual from a correctional or penal institution;

(vii) To consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price;

(viii) To consider acceptance of gifts, donations and bequests which the donor has requested in writing be kept confidential;

(ix) To consider or receive any information classified as confidential by law;

(x) To consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all negotiations;

(xi) To consider suspensions, expulsions or other disciplinary action in connection with any student as provided by law.

(b) Minutes shall be maintained of any executive session. Except for those parts of minutes of an executive session reflecting a members' objection to the executive session as being in

violation of this act, minutes and proceedings of executive sessions shall be confidential and produced only in response to a valid court order.

(c) Unless a different procedure or vote is otherwise specified by law, an executive session may be held only pursuant to a motion that is duly seconded and carried by majority vote of the members of the governing body in attendance when the motion is made.

State Board Policy:

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, Department Liaison, Board Attorney, Recording Secretary, 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.

VOTING METHOD

Constitutional and Statutory Provisions:

State Board Policy:

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.

ETHICS

Constitutional and Statutory Provisions:

Interim Executive Order 1997-4 adopting the Executive Branch Code of Ethics

State Board Policy:

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 customers, 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 of Education.

The Chair of the Board of Education 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.



STATE OF WYOMING
OFFICE OF THE GOVERNOR

JIM GERINGER
GOVERNOR

STATE OF WYOMING

STATE CAPITOL
CHEYENNE, WY 82002

EXECUTIVE DEPARTMENT

EXECUTIVE ORDER

1997- 4

Pursuant to the authority vested in the Office of the Governor of the State of Wyoming, I, Jim Geringer, Governor of the State of Wyoming, hereby issue this Executive Order adopting the following Executive Branch Code of Ethics in the interest of better serving the citizens of the State of Wyoming through the provision of ethical standards applicable to all public officials, elected officials, appointees, and employees of the Executive Branch of the State of Wyoming. This Code of Ethics does not apply to employees of the University of Wyoming or community colleges.

STATE OF WYOMING

EXECUTIVE BRANCH CODE OF ETHICS

1. Purpose. Those who serve the people of the State of Wyoming should do so with integrity. Neither impropriety nor the appearance of impropriety should occur. This Code of Ethics is intended to serve as a yardstick by which the conduct of all who serve in the Executive Branch of the State of Wyoming can be measured.



2. **Scope.** This Code of Ethics is applicable to all employment-related activities of public officials, elected officials, appointees and employees of the Executive Branch of the State of Wyoming. The term "public employees" shall be used in this Code of Ethics to include all public officials, appointees (whether or not they receive compensation) and employees of the Executive Branch. This Code of Ethics extends, but does not supersede, those duties and standards of conduct which are delineated in constitution, statute, or rule. In the event of any conflict between this Code of Ethics and any applicable constitution, statute, or rule, the constitution, statute, or rule shall prevail.

3. **Statement on Gender Pronouns.** Throughout this Code of Ethics, gender pronouns are used interchangeably. In cases where there is one individual holding a particular office, the gender pronoun applicable to the person holding that office as of the date of this writing has been used. In all other instances, the drafters have attempted to utilize each gender pronoun in equal numbers, with random distribution.

4. **Administration of this Code of Ethics.** This Code of Ethics shall be administered by each agency of the State of Wyoming in accordance with the following:

A. No agency shall delete any part of this Code of Ethics.

B. An agency head who receives an allegation of a violation of this Code of Ethics shall promptly investigate to determine whether the allegation is true. Allegations which are found to be *de minimis* in nature shall be handled accordingly. If the allegation is true, the agency head shall take appropriate action. For permanent employees, such actions shall be in accordance with the State of Wyoming Personnel Rules.

C. Allegations concerning violations of this Code of Ethics by an agency head or appointee shall be investigated by the Governor or his designee. Allegations which are found to be *de minimis* in nature shall be handled accordingly. If the allegation is true, the Governor or his designee shall take appropriate action.

5. General Responsibilities. All public employees shall:

A. Uphold the Constitutions of the United States and of the State of Wyoming.

B. Abide by the laws of the United States and of the State of Wyoming.

C. Carry out the policies and objectives of the State of Wyoming as established by statute, executive order, or rule, while adhering to established standards for work and performance.

D. Work in cooperation with other public employees, and act within the scope of the authority delegated to them.

E. Protect and conserve all property owned, held by, or leased to the State of Wyoming, including public records. [See Wyo. Stat. §§ 16-4-201 through 205.]

F. Be honest and fair in performing public service.

G. Strive to be honorable, courteous, and dedicated to advancing the public good.

H. Avoid conduct that compromises the integrity of the public office or creates the appearance of impropriety.

6. Prohibited Activities. Except as provided in Section 7, no public employee shall engage in:

A. Any activity which constitutes a conflict of interest with her employment. Such prohibited conduct includes, but is not necessarily limited to:

i. Using public office or public employment for personal gain.

ii. Taking official action in a matter in which the public employee has a close personal or financial relationship to a party.

iii. Engaging in activities which conflict with the public employee's official position of employment.

iv. Except as allowed by state law or State of Wyoming Personnel Rules, giving preferential treatment to any person.

v. Except when functioning as an advocate for a client or an agency, making decisions which are not independent and impartial.

B. Conduct which constitutes an abuse of authority. [See Section 7G (Allowed Activities) of this Code of Ethics, for a discussion of activities such as fund raising for recognized organizations which take place on the public employee's own time, which generally do not constitute an abuse of authority.] Conduct which constitutes an abuse of authority includes, but is not necessarily limited to:

i. Using or allowing the use by any private party of official information obtained through or in connection with the public employee's employment by the State of Wyoming, unless such information is available to the general public or unless dissemination is permitted by law.

ii. Awarding, participating in a decision to award or participating in the administration of a State of Wyoming contract, if the employee or any person with whom the employee has a close personal or financial relationship [this includes all members of the public employee's immediate family] is a party to the contract.

iii. Except as provided for in Sections 7A and 7B (Allowed Activities) of this Code of Ethics, acceptance or solicitation by a supervisor of contributions or gifts from subordinate employees. A supervisor may neither solicit nor accept gifts directly or indirectly, for herself or for another person.

iv. Accepting meal expense, lodging or reimbursement for travel or expenses incident to travel on official business from any source other than the State of Wyoming without approval of the agency head. Under no circumstances should a state employee accept items of this nature or gifts if the employee or his agency is involved in an adversarial proceeding with the outside contributing source.

C. Outside employment or any other outside activity which is incompatible with the full and proper discharge of the public employee's duties and responsibilities to the State of Wyoming. [For this reason, all honoraria, fees for speaking engagements, and other such compensation received because of the public employee's position with the State of Wyoming must be deposited in the General Fund.] Activities incompatible with the public employee's duties include, but are not necessarily limited to:

i. Accepting any fee, compensation, gift, payment of expense or any other thing of monetary value in circumstances which create the appearance of a conflict of interest or impropriety, whether or not such conflict of interest or impropriety actually exists.

ii. Receiving a salary or any other thing of monetary value from a private source as compensation for the public employee's services to the State of Wyoming. [This section does not apply to appointees to boards and commissions who do not receive a salary from the State.]

D. The use of or allowing the use of property owned or held by the State of Wyoming [including leased property] for any purpose other than carrying on the official business of the State of Wyoming. Prohibited activities include:

i. Selling or soliciting for personal gain any product or service such as cosmetics, food items, or household goods and services, during official office hours in or on property owned or held by the State of Wyoming. The agency head may make written exceptions to this prohibition, for solicitation on behalf of non-profit organizations.

ii. Transacting personal business during work hours to the extent that it interferes or detracts from the employee's performance of his duties.

iii. Unless required for official business and previously approved by the public employee's supervisor, the use of any facility or building owned or leased by the State of Wyoming as the principal residence or address of any business other than the agency by whom the public employee is employed.

7. Allowed Activities. A public employee may, notwithstanding the provisions of Section 6 above:

A. Solicit or accept voluntary gifts of nominal value or nominal donations. Examples of permissible gifts include voluntary gifts made upon the occasion of marriage, illness, or retirement, or made for charitable or civic purposes.

B. Solicit or accept any thing of monetary value from a friend, parent, spouse, child or other close relative when it is clear from

the circumstances that the motivation for the action is a personal or familial relationship.

C. Accept loans from banks or other financial institutions on customary terms of finance for the proper and usual activities of the public employee, such as home mortgage loans.

D. Accept unsolicited advertising or promotional material of nominal value, such as pens, pencils, note pads, and calendars.

E. Engage in a reasonable amount of communication with family members, day care providers, medical professionals, and similarly situated individuals during the work day. [It is incumbent upon each public employee to learn from her supervisor what is considered reasonable in a particular situation.]

F. Engage in teaching, lecturing, or writing for compensation, when those activities are not related to the public employee's employment by the State of Wyoming. [Each public employee should seek approval from her supervisor prior to engaging in such teaching, lecturing; or writing for compensation.]

G. In his private capacity, solicit persons or organizations to obtain goods, services, grants, or loans on behalf of a recognized charitable or fraternal organization.

8. Requests for Approval of Activities. In all cases enumerated above where a public employee is advised to consult with his supervisor prior to engaging in an activity, and in every instance where the public employee is not certain whether a particular activity is allowed by the Code of Ethics, he should consult with his supervisor prior to engaging in the questioned activity. If the public employee requests a written response from the supervisor, the supervisor should respond in writing. This Code of Ethics provides that:

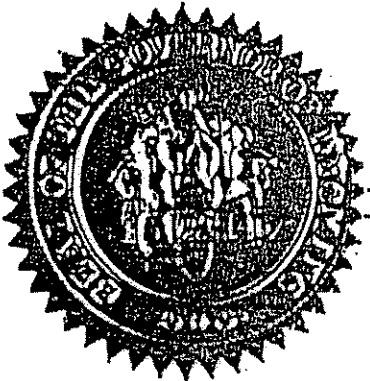
A. No public employee shall be penalized for inquiring of her supervisor regarding prior approval of an activity in which she wishes to engage.


B. If a public employee inquires regarding an activity in which he wishes to engage and his supervisor informs him that engaging in such activity would violate this Code of Ethics, and the public employee then engages in such activity, his supervisor may take appropriate disciplinary action. For permanent employees, such actions shall be in accordance with the State of Wyoming Personnel Rules.

9. **Elected Officials.** Elected officials occupy their positions as a result of political election. As such, they may participate in political activities. Elected officials must disclose items or services received from outside sources¹ which have a value of \$250 or more.² The disclosure shall be made by filing a list of the items or services received during each calendar year with the Secretary of State. The filing shall be made by February 15 of the following year. The list shall be divided into items which will be retained by the elected official as a private gift and items which will be left as property of the State of Wyoming when the elected official leaves office.

This Order shall be effective on December 15, 1997, and shall remain in effect until amended.

Given under my hand and the Executive Seal of the State of Wyoming this 3rd day of December, 1997.




Jim Geringer
Governor of the State of Wyoming

¹Items do not include inherited items. Outside sources do not include family members.

²Donations to a political campaign reported pursuant to WYO. STAT. § 22-25-106 are exempt from this reporting requirement.

ANNUAL OPERATING BUDGET OF THE BOARD

Constitutional and Statutory Provisions:

State Board Policy:

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/Department Liaison, after developing a budget for the operation of the Board for the next fiscal year, shall submit the document to the Board. The Board will review the budget and recommend revisions, if necessary.

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 allude to others by name or 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