

WYOMING STATE BOARD OF EDUCATION

December 11, 2017

Teleconference

Wyoming State Board of Education members present via Zoom: Chairman Wilcox, Sue Belish, Superintendent Balow, Nate Breen, Ryan Fuhrman, Dan McGlade, Max Mickelson, Scotty Ratliff, Robin Schamber, and Belenda Wilson

Members absent: Ken Rathburn, Jim Rose, and Kathryn Session

Also present: Kodi Gerhold, WDE; Julie Magee, WDE; Megan Degenfelder, Kari Eakins, WDE; Sean McInerney, WDE; Thomas Sachse, SBE Coordinator; Mackenzie Williams, Attorney General's Office (AG); and Adam Leuschel, (AG).

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CALL TO ORDER

Chairman Walt Wilcox called the meeting to order at 8:00 AM

Kodi Gerhold conducted roll call and established that a quorum was present.

APPROVAL OF AGENDA:

Scotty Ratliff moved to approve the agenda as presented, seconded by Robin Schambers; the motion carried.

DISCUSSION OF WESTON 7 REQUEST:

Superintendent Balow – Matter of housekeeping item before going into executive session, several staff members including liaison Julie Magee and Chief of Staff Dicky Shanor were part of the recommendation, and would like to attend the executive session.

Mackenzie Williams- Clarified that Wyoming statute 21.302, the board needs the majority of the entire board even non-voting members. For the purpose of appearance we should keep the remainder of the board and the WDE staff separate in executive session. Would be best to consider these issues without WDE staff present.

Sue Belish- Julie and Dicky are at the office and can be called in if needed.

Chairman Wilcox- Echoing the same as Sue they will bring them in if needed during executive session, however at this time will not allow them in the session and will keep it to just board members only.

**The board entered executive session**

Kodi Gerhold took a roll call after Executive session to ensure that all members returned to public meeting line.

Chairman Wilcox - Weston 7 School performance rating do we have a motion towards this topic?

Sue Belish- Moved to change the performance rating of Upton High School from Partial Meeting to Meeting Expectations.

Nate Breen- Seconded this motion.

Superintendent Balow- Please put on the record Chapter 3 is the entirety of the reviews, not appropriate to revisit the vote. Would like to make very clear that this is my opinion because of the laws governing the board process. This issue was already determined, WDE will not be changing review. Superintendent Balow will be abstaining from vote because of her unique position as State Superintendent and a member of the board.

Makenzie- Gave clarification to quantity of votes, and comparison of voting members and board members. Wyoming statute 21.302, the board needs the majority of the entire board even non-voting members. Majority of the board is 8 votes.

Dicky Shanor- The board does not have an obligation to state on the record for a given vote, aide all parties to put on the record what the rational or legal justification is to the change of the rating.

Chairman Wilcox- called for the vote for the motion to change the school performance rating for Upton High School from partial meeting to meeting, adjusting the current SPR that was awarded for the 2017 cycle.

Kodi Gerhold took a roll call vote.

Ayes: Sue Belish, Nate Breen, Scotty Ratliff, Robin Schamber, and Belenda Willson.

Nays: Chairman Wilcox, Ryan Fuhrman, Dan McGlade, and Max Mickelson.

Superintendent Balow abstained from the vote.

Chairman Wilcox – That being said the motion fails and the status for Upton High School does not change. Chairman opened topic for discussion.

Sue Belish- Need to review the informal review process and the legislative implications, especially to the fact that they need more information about participation. Possibly the advisory committee will be discussing participation rates.

Chairman Wilcox- Requested legal counsel waive attorney client privilege to notify Weston 7 of the board's vote and legal advice. Also is having serious questions on what the authority of the board in an informal review process, our business rules are not comprehensive enough to solve this.

Summer Stevens- Weston 7, would appreciate a follow-up from legal counsel.

Chairman Wilcox adjourned the meeting.