

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO.

Transparency of K-12 personnel discipline actions.

Sponsored by: Senator(s) Ellis

A BILL

for

1 AN ACT relating to disclosure of K-12 personnel discipline
2 actions; authorizing disclosure of investigations and
3 disciplinary proceedings involving school district
4 personnel as specified; requiring redaction of personally
5 identifiable student information as specified; authorizing
6 disclosure of records associated with the suspension,
7 dismissal or termination of a continuing contract teacher
8 as specified; and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 16-4-203(d)(iii) and (xi) are amended
13 to read:

1

2 16-4-203. Right of inspection; grounds for denial;
3 access of news media; order permitting or restricting
4 disclosure; exceptions.

5

6 (d) The custodian shall deny the right of inspection
7 of the following records, unless otherwise provided by law:

8

9 (iii) Personnel files except those files shall
10 be available to the duly elected and appointed officials
11 who supervise the work of the person in interest.
12 Applications, performance ratings and scholastic
13 achievement data shall be available only to the person in
14 interest and to the duly elected and appointed officials
15 who supervise his work. Employment contracts, working
16 agreements or other documents setting forth the terms and
17 conditions of employment of public officials and employees
18 are not considered part of a personnel file and shall be
19 available for public inspection. Investigations or
20 disciplinary proceedings resulting in substantiated
21 allegations of professional misconduct by Wyoming school
22 district employees related to the treatment of or

1 interactions with students are not considered part of a
2 personnel file and, subject to the redaction of personally
3 identifiable student information, shall be available for
4 public inspection upon the conclusion of any investigation
5 or disciplinary proceeding, or if an appeal is pursued,
6 after resolution of the appeal of the investigation or
7 disciplinary proceeding. Records associated with the
8 suspension, dismissal or termination of a continuing
9 contract teacher pursuant to W.S. 21-7-106 and 21-7-110 are
10 not considered part of a personnel file and, subject to the
11 redaction of personally identifiable student information,
12 shall be available for public inspection after final action
13 by the board of trustees and resolution of any appeal, if
14 applicable;

15

16 (xi) Records or information compiled solely for
17 purposes of investigating violations of, and enforcing,
18 internal personnel rules or personnel policies the
19 disclosure of which would constitute a clearly unwarranted
20 invasion of personal privacy. Subject to paragraph (iii) of
21 this subsection, this exemption does not apply to
22 investigations or disciplinary proceedings resulting in

1 substantiated allegations of professional misconduct of
2 Wyoming school district employees related to the treatment
3 of or interaction with students upon the conclusion of any
4 investigation or disciplinary proceeding, or if an appeal
5 is pursued, after resolution of the appeal of the
6 investigation or disciplinary proceeding;

7

8 **Section 2.** This act is effective July 1, 2023.

9

10

(END)