

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

K-12 public school teacher bill of rights.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to teacher rights in K-12 public education;
2 providing legislative findings; defining terms; specifying
3 rights for teachers; modifying imposition of punishment and
4 disciplinary measures; requiring school districts to
5 establish progressive intervention systems for student
6 discipline; requiring documentation; requiring data
7 collection and reporting; establishing a process for
8 removal of students from a teacher's classroom; authorizing
9 teachers to exercise professional judgment; providing the
10 opportunity for professional development; providing civil
11 and criminal immunity; modifying requirements for
12 discipline of teachers and staff; and providing for an
13 effective date.

1

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

3 *****

4 *****

5 STAFF COMMENT

6 The policy choices and substantive directives contained in
7 this bill draft were provided by the Wyoming Education
8 Association (WEA), with input from the Wyoming Association
9 of School Administrators, the Wyoming School Boards
10 Association, the Professional Teaching Standards Board,
11 former and current school district administrators, WEA's
12 legal counsel and teachers, including special education
13 teachers and mental health providers. Recall, the Committee
14 requested WEA provide drafting instructions for a teachers
15 bill of rights. LSO revised the organization and language
16 to adhere to drafting standards. Multiple policy
17 considerations are contained in the staff comments and
18 significant guidance from the Committee is required to
19 finalize the bill draft.

20

21 Portions of this bill draft are duplicative or provide
22 alternative to language contained in 26LSO-0088, K-12
23 public school discipline. The Committee may want to
24 consider the potential conflicts and redundancies should
25 both bills be enacted into law.

26 *****

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28

29 Section 1. W.S. 21-7-801 through 21-7-807 are created
30 to read:

31

32 ARTICLE 8

33 TEACHER BILL OF RIGHTS

34

35 21-7-801. Short title; purpose.

1

2 (a) This act may be cited as the "Teacher Bill of
3 Rights Act."

4

5 (b) The purpose of this act is to:

6

7 (i) Recognize, affirm and protect the rights of
8 certified teachers, paraprofessionals and all other public
9 education staff in public schools by establishing
10 fundamental guarantees relating to working conditions,
11 academic freedom, professional respect and support;

12

13 (ii) Empower teachers to maintain discipline and
14 uphold standards of behavior in the teacher's classroom to
15 ensure safe, respectful and effective learning environments
16 for all students;

17

18 (iii) Affirm the authority, protection and
19 professional respect teachers require to manage student
20 behavior while promoting fairness, equity and due process
21 for all students.

22 *****

23 *****

24 **STAFF COMMENT**

1 The drafting instructions included legislative findings.
2 Generally, findings are uncommon in bills, particularly in
3 terms of pronouncing a legal conclusion. The Wyoming
4 Supreme Court, albeit in a footnote, cited a treatise to
5 describe the following about legislative findings:
6

7 *Legislative facts are ordinarily general and do*
8 *not concern the immediate parties. In the great*
9 *mass of cases decided by courts and by agencies,*
10 *the legislative element is either absent or*
11 *unimportant or interstitial, because in most*
12 *cases the applicable law and policy have been*
13 *previously established. But whenever a tribunal*
14 *engages in the creation of law or of policy, it*
15 *may need to resort to legislative facts, whether*
16 *or not those facts have been developed in the*
17 *record. The exceedingly practical difference*
18 *between legislative and adjudicative facts is*
19 *that, apart from facts properly noticed, the*
20 *tribunal's findings of adjudicative facts must be*
21 *supported by evidence, but findings or*
22 *assumptions of legislative facts need not be,*
23 *frequently are not, and sometimes cannot be*
24 *supported by evidence."* Scarlett v. Town Council
25 of Jackson, 463 P.2d 26, 29 n.5 (Wyo. 1969)
26 (internal quotations omitted).
27

28 Although these findings are codified, courts
29 generally do not rely on findings or legislative
30 history or intent when the "terms of a statute
31 are clear" and when a statute's "language is
32 conclusive." United States v. Hatcher, 560 F.3d
33 222, 226 (4th Cir. 2009) (stating that, "as a
34 general rule," when the "terms of a statute are
35 clear, its language is conclusive and courts are
36 not free to replace" that clear language" with
37 "an unenacted legislative intent"). One appellate
38 court declined to discern an intent to alter a
39 principle concerning arbitration awards "by
40 giving legal significance to what are,
41 essentially, gratuitous findings." Deschutes Cty.
42 Sheriff's Ass'n v. Deschutes Cty., 9 P.3d 742,
43 747 (Or. Ct. App. 2000).
44

45

1

2 **21-7-802. Definitions.**

3

4 (a) As used in this article:

5

6 (i) "Classroom" means any space being used for
7 instruction, individual tutoring or assistance, regardless
8 of the number of students present or its formal designation
9 as a classroom, and includes space owned or leased by a
10 school district where students enrolled in a school
11 district are present and engaged in the educational process
12 in any manner;

13

14 (ii) "Discipline dialogue process" means a
15 process where, at minimum, the student, the student's
16 parents or guardians, the classroom teacher, the school
17 counselor and the school principal discuss potential
18 educational and behavioral interventions to address the
19 student's behavior;

20

21 (iii) "Objective disruptive behavior" means any
22 behavior or conduct by the student that:

23

1 (A) Does not require personal judgment based
2 on personal feelings, opinions or perceptions to establish
3 the behavior or conduct violates the student code of
4 conduct, school policies or the teacher's classroom
5 management plan, required under W.S. 21-7-805(b);

6

7 (B) Behavior that obstructs learning or
8 teaching in the teacher's classroom;

9

10 (C) Threatening, harassing, violent, verbal
11 or physical abuse or intimidating behavior towards any
12 teacher, staff or student, including the use of abusive or
13 profane language;

14

15 (D) Willful disobedience of reasonable,
16 timely and related instruction in the teacher's classroom,
17 the student code of conduct, school policies or the
18 teacher's classroom management plan, required W.S.
19 21-7-805(b).

20 *****
21 *****

22 STAFF COMMENT

23 The drafting instructions define "objective disruptive
24 behavior" contained in W.S. 21-7-802(a)(iii), but it is not
25 utilized in the remainder of the drafting instructions. It
26 appears from the drafting instructions that objective

1 disruptive behavior is the basis for removal from the
2 teacher's classroom and the term is included in the bill
3 draft as a result. See W.S. 21-7-803(b) as an example.
4 Clarification regarding the instructions is required.

5
6 The definition of "objective disruptive behavior" was
7 modified and conforming amendments were made to combine the
8 proposed definition with relevant language proposed in
9 another section of the drafting instructions. The
10 difference between 21-7-802(iii)(B) and (D) is not clear in
11 the drafting instructions. The Committee may want to
12 consider modifying the definition clarify the difference
13 between the subsections.

14 *****
15 *****
16

17 (viii) "Progressive intervention system" means
18 the use of a tiered intervention system to address student
19 behaviors that includes the use of a disciplinary matrix.

20 *****
21 *****

22 **STAFF COMMENT**

23 The drafting instructions do not define "disciplinary
24 matrix[.]" The Committee may want to consider defining this
25 term if the term is subject to varying interpretations.

26 *****
27 *****

28
29 (v) "Staff" means a school district employee not
30 included in the definition of teacher pursuant to paragraph
31 (vi) of this subsection;

32
33 (vi) "Subjective disruptive behavior" means any
34 behavior or conduct by a student that requires an
35 assessment by a teacher or staff to determine whether a

1 violation has occurred based on personal feelings, opinions
2 or judgment;

3 *****
4 *****

5 STAFF COMMENT

6 The drafting instructions define "subjective disruptive
7 behavior" but the term is not used in the remainder of the
8 drafting instructions. It is unclear what type of
9 "violation" is included in the definition (i.e. the
10 classroom management plan, student code of conduct, school
11 district policies). The Committee may want to consider
12 omitting this term or clarify the application in the bill
13 draft.

14 *****
15 *****
16

17 (vi) "Teacher" means a person certified as a
18 teacher, paraprofessional or other staff engaged in the
19 educational process;

20
21 (viii) "Teaching and learning environment" means
22 any classroom where students are engaged in any activity of
23 study of any subject or mastering of any skills identified
24 with the instruction;

25 *****
26 *****

27 STAFF COMMENT

28 The drafting instructions define "teaching and learning
29 environment" contained in W.S. 21-7-802(a)(viii), but the
30 term is not utilized in the remainder of the drafting
31 instructions.

32
33 It is unclear how "teaching and learning environment"
34 differs from the definition of "classroom" contained in

1 W.S. 21-7-802(a)(i). The Committee may consider clarifying
2 the difference or omitting one of the terms if duplicative.

3 *****
4 *****
5

6 21-7-803. Safety and security; classroom requirements;
7 required training.

8
9 (a) Students, parents or guardians, administrators and
10 the public shall treat teachers and staff with dignity and
11 respect.

12
13 (b) Classrooms shall be free from objective disruptive
14 behavior orderly, safe and secure.

15
16 (c) Each school district shall provide teachers and
17 staff with training and protocols necessary to respond to
18 safety threats.

19 *****
20 *****

21 STAFF COMMENT

22 The drafting instructions directed statements contained in
23 W.S. 21-7-803(a) through (c) be drafted as "rights." This
24 was modified to make the directives a mandatory obligation.
25 The enforcement mechanism for school districts that do not
26 comply is unclear, particularly as contained in W.S. 21-7-
27 803(a) and (b).

28
29 The requirement for training contained in W.S. 21-7-803(c)
30 may be duplicative of W.S. 21-7-804(a)(iii) and (vi). The
31 Committee may want to consider combining the requirements

1 for training and professional development or clarify the
2 difference between the requirements.

3 *****
4 *****
5

6 21-7-804. Enforcement of classroom rules;
7 administrative support; obligations of school districts.
8

9 (a) School districts shall provide teachers and staff
10 with all of the following:
11

12 (i) Authority to establish and enforce classroom
13 rules and behavior expectations that are consistent with
14 district policies and that support student learning. This
15 shall include the ability of teachers and staff to exercise
16 professional judgment in delivery of curriculum and
17 instruments and to communicate with a parent or guardian of
18 a student regarding the student, events and actions related
19 to the teacher's classroom, subject to applicable state and
20 federal privacy laws;

21 *****
22 *****

23 STAFF COMMENT

24 It is unclear what the "instruments" refers to. The
25 Committee may want to consider omitting the term or clarify
26 what qualifies as an "instrument".
27

28 *****
29 *****

1

2 (ii) Prompt administrative support when student
3 behavior poses a threat to the physical, emotional or
4 psychological safety, learning or well-being of students,
5 teachers or staff;

6

7 (iii) Training and protocols necessary to respond
8 to safety threats;

9 *****
10 *****

11 **STAFF COMMENT**

12 The requirement for professional development contained in
13 W.S. 21-7-804(a)(iii) may be duplicative of W.S. 21-7-
14 803(c) and 21-7-804(a)(vi). The Committee may want to
15 consider combining the requirements for training and
16 professional development or clarify the difference between
17 the requirements.

18
19 *****
20 *****
21

22 (iv) The opportunity to participate and have
23 input during disciplinary proceedings and processes
24 involving students enrolled in the teacher or staff's
25 classroom, which shall at a minimum include access to
26 information, subject to applicable state and federal
27 privacy laws, inclusion in behavior intervention planning
28 during the discipline dialogue process and opportunity to

1 provide input regarding any proposed disciplinary actions,
2 consequences, punishments and interventions;

3

4 (v) Clear and consistent school and district
5 disciplinary policies that are communicated to teachers,
6 staff and students and enforced consistently and equitably.
7 The disciplinary policies shall be regularly reviewed by
8 the district and school administration, in collaboration
9 with teachers, staff and the school district board of
10 trustees. Review and adoption of disciplinary policies
11 shall include the opportunity for public comment that
12 includes input from parents and guardians of students
13 enrolled in the district;

14

15 (vi) Ongoing, high quality and district-funded
16 professional development to ensure teachers and staff have
17 the ability to provide students with a high quality,
18 adequate education in kindergarten through grade twelve
19 (12). Each school district shall ensure teachers and staff
20 have input on the design and implementation of the
21 professional development required pursuant to this
22 paragraph;

STAFF COMMENT

The requirement for professional development contained in W.S. 21-7-804(a)(vi) may be duplicative of W.S. 21-7-803(c) and 21-7-804(a)(iii). The Committee may want to consider combining the requirements for training and professional development or clarify the difference between the requirements.

(vii) A minimum of one (1) planning period each day of instruction for teachers with students enrolled in the teacher's class, unless the school district administration and the teacher agree in writing to an alternative. If the teacher belongs to a labor association, a representative from the association shall be included in the negotiation of an alternative agreement;

(viii) Representation on all school or district boards or groups with authority to make decisions that impact teachers or staff. This shall include any entity that has the ability to modify curriculum, student disciplinary policies or procedures or school schedules.

STAFF COMMENT

Wyoming Statute 21-7-805(a)(viii) reflects the directives of the drafting instructions and would include

1 representation on the school district board of trustees, an
2 elected body pursuant to W.S. 22-22-201 through 22-22-304,
3 and 21-3-101 through 21-3-124. It is unclear how
4 representation by teachers and staff would be accomplished
5 with an elected board.

6
7 *****
8 *****
9

10 21-7-805. Removal of students; disciplinary
11 procedures.

12
13 (a) Any student that engages in objective disruptive
14 behavior may be immediately removed from the teacher's
15 classroom by the classroom teacher.

16
17 (b) Teachers, with students enrolled in the teacher's
18 class, shall create a classroom management plan prior to
19 the commencement of each school year. The plan shall
20 include a multi-tiered system of support and shall be
21 submitted to the school principal, behavioral specialist,
22 if one is employed by the school, and school counselor for
23 consideration and shall be approved by the school principal
24 prior to implementation.

25
26 (c) Upon removal of a student pursuant to subsection
27 (a) of this section, the student shall be placed in the

1 immediate control of the school principal, the principal's
2 designee or the school behavioral specialist, if one is
3 employed by the school. For the remainder of the school
4 day, the student may be excluded from the teacher's
5 classroom that the student was removed from, sent home if
6 adult supervision will be present or placed in another
7 classroom. The consequences and punishments for any student
8 removed pursuant to subsection (a) of this section shall
9 align with the removing teacher's classroom management plan
10 adopted pursuant to subsection (b) of this section. The
11 school principal shall provide written or telephonic notice
12 to the student's parents or guardians of the removal of the
13 student.

14

15 (d) Any student removed pursuant to subsection (a) of
16 this section may be readmitted to the removing teacher's
17 classroom upon written notice from the principal, the
18 principal's designee or the school behavioral specialist,
19 if one is employed by the school, to the teacher that
20 removed the student that specifies the interventions,
21 consequences or punishments to be imposed.

22

(e) Any student removed from a teachers' classroom pursuant to subsection (a) of this section:

(i) Three (3) or more times in thirty (30) calendar days shall, as determined by the school principal, receive in-school suspension or suspension or may require the student attend another school in the school district;

STAFF COMMENT

The May 13, 2025 memo, titled "[Overview of School Discipline: Suspension, Expulsion, Seclusion, and Restraint](#)" prepared by the LSO, and presented to the Committee, provides information that may assist in consideration of W.S. 21-7-805(e)(i). This includes but is not limited to discussion of W.S. 21-4-305, Suspension or expulsion; authority; procedure; W.S. 21-4-306, Suspension or expulsion; and W.S. 21-4-308, Punishment and disciplinary measures, denial of diploma or credit.

These statutes govern the imposition of punishments and consequences, suspension or expulsion of student and the drafting instructions are unclear whether W.S. 21-7-805(e)(i) is subject to those requirements or if this authority is separate and apart from those requirements. The Committee may wish to clarify this policy choice. Presumably, the consequences potentially imposed pursuant to W.S. 21-7-805(f) may include suspension and expulsion.

(ii) Ten (10) or more times in one (1) semester, and after all other reasonable means of classroom discipline have been exhausted, shall not return to the

1 removing teacher's classroom unless the discipline dialogue
2 process is complete and a behavior plan identifying
3 appropriate interventions is agreed upon by the student,
4 the student's parents or guardians, the classroom teacher,
5 the school counselor and the school principal. The
6 interventions in the behavioral plan shall reflect best
7 practices and be age appropriate and may include providing
8 parental and student support in the form of counseling,
9 home visits or appropriate classes.

10

11 (f) If a student continues objective disruptive
12 behavior in the removing teacher's classroom after
13 readmission pursuant to subsection (d) of this section,
14 upon the request of the teacher that removed the student
15 from the classroom, the principal shall have the authority
16 to impose the maximum consequences and punishments
17 authorized by the student code of conduct for the behavior,
18 if the punishments and consequences are consistent with the
19 progressive intervention system. The principal shall inform
20 the student's parents or guardians in writing of the
21 consequences and punishments to be imposed.

22

1 (g) Each school district board of trustees shall adopt
2 an appeal process that allows the teacher to request the
3 board of trustees review the action of a principal if the
4 principal fails to remove a student from the teacher's
5 classroom pursuant to this section or if the teacher
6 believes the principal prematurely readmitted the student
7 to the teacher's classroom.

8

9 **21-7-806. Reporting student disciplinary actions.**

10

11 (a) Not later than June 15 of each year, each school
12 shall report all student disciplinary actions imposed in
13 the preceding school year to the school district board of
14 trustees.

15

16 (b) Not later than July 15 of each year, the board of
17 trustees shall consolidate the information submitted
18 pursuant to subsection (a) of this section and submit the
19 information to the department of education.

20

21 (c) Not later than August 15 of each year, the
22 department of education shall submit a report to the joint

1 education interim committee summarizing the information
2 received pursuant to subsection (b) of this section.

3

4 **21-7-807. Civil and criminal liability; rebuttable**
5 **presumption; legal remedies.**

6

7 (a) Any school teacher or staff that removes a student
8 in accordance with this act and complies with the rules
9 enacted by the state board of education and the policies of
10 the employing school district, shall be immune from civil
11 and criminal liability for actions associated with the
12 removal of a student from the teacher's classroom, except
13 as follows:

14

15 (i) The teacher or staff engages in excessive
16 force or cruel and unusual punishment;

17

18 (ii) The teacher or staff willfully disregards
19 this act, acts maliciously, fraudulently, in bad faith or
20 beyond the teacher or staff's authority.

21 *****
22 *****

23 **STAFF COMMENT**
24 **The drafting instructions provide the civil and criminal**
25 **immunity apply in the instance of removal of student. The**

1 drafting instructions also provide the immunity provided in
2 W.S. 21-7-807(a)(i) and (ii) extends to staff. The two
3 concepts are inconsistent as the drafting instructions, as
4 contained in W.S. 21-7-805, authorize only the classroom
5 teacher to remove a student. The Committee may want to
6 consider clarifying who can remove a student and who the
7 immunity applies to.

8
9 Wyoming Statute 21-7-806(a) may be unnecessary. School
10 district employees are protected by sovereign immunity,
11 except for specific instances contained in the Governmental
12 Claims Act, W.S. 1-39-101 through 1-39-124. Inclusion may
13 cause confusion in the application of sovereign immunity
14 and the provisions of the Governmental Claims Act. The
15 Committee may wish to consider deleting the provision or
16 amending the Governmental Claims act to ensure clarity.

17
18 The drafting instructions refer to compliance with rules of
19 the State Board of Education (State Board), but the
20 instructions do not include a requirement for the State
21 Board to adopt rules pursuant to this act. The Committee
22 may wish to delete the reference to the State Board in W.S.
23 21-7-806(a), or clarify the rules to be enacted by the
24 State Board for purposes of administration of this act. It
25 is possible the instructions are referencing the State
26 Board's authority to adopt policies and training procedures
27 regarding the use of seclusion and restraint in schools,
28 pursuant to W.S. 21-3-110(a). If that is case, the
29 references to the State Board require clarification.
30 Additionally, the State Superintendent's obligations,
31 pursuant to W.S. 21-2-202(a)(xxii), to establish rules and
32 regulations for school district policies and training
33 regarding the use of seclusion and restraint and to review
34 each school district's policy for compliance with the
35 rules, are relevant to the consideration of the policy
36 choices contained in this draft.

37
38 The drafting instructions include "fraudulently." The
39 meaning of this term in this context is unclear. The
40 Committee may wish to clarify the application of the term.

41
42 *****
43 *****
44

(b) Notwithstanding any other provision of law, in any legal, professional disciplinary or employment proceeding involving the action of a teacher to enforce the teacher's classroom management plan established by a teacher and approved by a principal pursuant to W.S. 21-7-805(b), there shall be a rebuttable presumption the teacher took the necessary actions to restore or maintain the safety or instruction atmosphere of the teacher's classroom.

STAFF COMMENT

The language contained in W.S. 21-7-807(b) largely reflects the drafting instructions. The Committee may wish to clarify the intent of the language and significance of the rebuttable presumption.

(c) Any teacher subject to disciplinary or employment proceedings for actions taken consistent with this act, shall receive a fair investigation and shall have the right to legal representation prior to any disciplinary or adverse employment action being taken.

STAFF COMMENT

Wyoming Statutes 21-7-101 through 21-7-114 govern teacher contracts and contain requirements associated the potential imposition of adverse employment actions. This is relevant

1 information in consideration of the application of W.S. 21-
2 7-807, specifically subsection (c).
3

4 Wyoming Statute 21-7-110 governs the process for the
5 suspension and dismissal of continuing teachers and reads
6 as follows:
7

8 21-7-110. Suspension or dismissal of
9 teachers; notice; hearing; independent hearing
10 officer; board review and decision; appeal.
11

12 (a) The board may suspend or dismiss any
13 teacher, or terminate any continuing contract
14 teacher, for any of the following reasons:
15

16 (i) Incompetency;
17

18 (ii) Neglect of duty;
19

20 (iii) Immorality including, without
21 limitation, engaging in conduct with a student
22 which would be a violation of W.S. 6-2-314
23 through 6-2-318, 12-6-101(a) or 35-7-1036;
24

25 (iv) Insubordination;
26

27 (v) Physical incapacity to perform job
28 duties even with reasonable accommodation;
29

30 (vi) Failure to perform duties in a
31 satisfactory manner;
32

33 (vii) Repealed by Laws 2019, ch. 84, §
34 2.
35

36 (viii) Conviction of a felony; and
37

38 (ix) Any other good or just cause
39 relating to the educational process.
40

41 (b) Suspension or dismissal proceedings
42 shall be initiated by the superintendent or any
43 member of the board designated by the
44 superintendent or designated by the board
45 pursuant to a majority vote of the board

1 delivering to the teacher a written notice of
2 suspension or dismissal, together with written
3 reasons.
4

5 (c) Any continuing contract teacher
6 receiving notice of a recommendation of
7 termination under W.S. 21-7-106(a), or any
8 teacher against whom dismissal or suspension
9 proceedings are instituted, is entitled to a
10 hearing before an independent hearing officer
11 provided through the office of administrative
12 hearings on the recommendation for termination or
13 the reasons for dismissal or suspension, upon
14 submission of a written request to the
15 superintendent. The request for hearing shall be
16 given within seven (7) days after receipt of
17 notice of termination under W.S. 21-7-106(a) or
18 after receiving notice of dismissal or suspension
19 under subsection (b) of this section. Expenses
20 of the hearing officer shall be paid by the
21 school district in accordance with W.S. 9-2-
22 2202(b)(ii).
23

24 (d) Within five (5) days after selection,
25 the hearing officer shall set the date for
26 hearing and notify the teacher and superintendent
27 of the hearing date, time and location. In no
28 event shall the hearing commence on a date later
29 than forty-five (45) days after notice under W.S.
30 21-7-106(a) or subsection (b) of this section, as
31 applicable. The hearing shall be conducted in
32 accordance with contested case procedures
33 specified under W.S. 9-2-2202(b). All school
34 district records pertaining to the teacher shall
35 be made available to the hearing officer.
36

37 (e) At the hearing, the superintendent
38 shall have the burden of proving that the
39 recommendation for termination is based upon
40 reasons provided in the notice of termination
41 submitted pursuant to W.S. 21-7-106(a) or that
42 suspension or dismissal is based upon reasons
43 specified in the notice given under subsection
44 (b) of this section, as applicable.
45

1 (f) Repealed by Laws 2011, Ch. 182, § 2.

2
3 (g) The board shall review the findings of
4 fact and recommendation submitted by the hearing
5 officer and within twenty (20) days after
6 receipt, issue a written order to either
7 terminate, suspend or dismiss the teacher, or to
8 retain the teacher. If the board terminates,
9 suspends or dismisses the teacher's employment
10 over a recommendation by the hearing officer for
11 retention, the written order of the board shall
12 include a conclusion together with reasons
13 supported by the record. A copy of the order
14 shall be provided to the teacher and a copy shall
15 be entered into the school district records
16 pertaining to the teacher. Any action by the
17 board pursuant to this subsection shall be
18 approved by a majority of the duly elected
19 members of the board.
20

21 (h) Appeals may be taken from the order of
22 the board to the district court as provided by
23 the Wyoming Administrative Procedure Act. An
24 electronic recording of hearing proceedings may
25 serve as the official transcript but upon appeal,
26 the district court may request a written
27 transcript of the proceedings or any portion of
28 the proceedings. The cost of transcribing the
29 record shall be borne equally by the teacher and
30 the school district.
31

32 Wyoming Statute 21-7-105 governs dismissal of initial
33 contract teachers and reads as follows:
34

35 21-7-105. Employment of initial contract
36 teachers on annual basis; notice of termination
37 to such teachers.
38

39 An initial contract teacher who has taught in the
40 system continuously for a period of at least
41 ninety (90) days shall be hired on an annual
42 basis and shall be notified in writing of the
43 reasons for termination, if such is the case, no
44 later than April 15 of each year. An initial
45 contract teacher's employment may be terminated

1 *for any reason not specifically prohibited by*
2 *law, and a board is not limited to the reasons*
3 *set forth in W.S. 21-7-110(a). The notice of*
4 *termination shall not be disseminated to the*
5 *public or to prospective employers absent the*
6 *teacher's consent. Nothing contained in this*
7 *section shall limit the use of the notice in any*
8 *hearing.*

9 *****
10 *****

11
12 (d) Notwithstanding any other provision of law, a
13 teacher that acts in a manner that is consistent with this
14 act, the policies of the school district and the school
15 district board of trustees and applicable rules of the
16 state board of education, shall not be subject to
17 professional disciplinary proceedings, reprimand or
18 negative employment actions.

19 *****
20 *****

21 STAFF COMMENT

22 The drafting instructions refer to compliance with rules of
23 the State Board, but the instructions do not include a
24 requirement for the State Board to adopt rules pursuant to
25 this act. The Committee may wish to delete the reference to
26 the State Board in W.S. 21-7-806(d), or clarify the rules
27 to be enacted by the State Board for purposes of
28 administration of this act. Note, the Professional Teaching
29 Standards Board licenses teachers pursuant to W.S. 21-2-801
30 and 21-2-802.

31
32 The Committee may want to consider the policy choices
33 contained in W.S. 21-7-807(b) and (d) and the potential
34 inconsistencies. Subsection (b) states the teacher or staff
35 is entitled to a rebuttable presumption in any legal or
36 disciplinary proceeding, but subsection (d) prohibits any
37 disciplinary action if the teacher's action is in
38 compliance with this act.

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Section 2. This act is effective July 1, 2026.

(END)