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92LSO-0021

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## SENATE FILE

0145

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SF0145

AN ACT relating to Wyoming Teacher Employment Law; modifying the definition of continuing contract teacher; authorizing superintendents to temporarily suspend or dismiss teachers with pay pending formal hearing; providing for an informal conference on suspension or dismissal; authorizing suspension or dismissal without pay; clarifying application as specified; and providing for an effective date.

SENATE FILE 0145

Introduced by:

## SENATE ACTION ON SENATE FILE

1127 ☒ Introduced  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☒ Read First Time and Ref. to  
 Committee No. 4  
☐ Failed Introduction  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
 2122 Returned from Committee No. 4  
 with Recommendation:  
☐ Do Pass; ☐ Amend & Do  
 Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to  
 Committee No. at Indef. Postpon  
☐ Re-referred to Committee No. \_\_\_  
☐ Returned from Committee No. \_\_\_  
 with Recommendation:  
☐ Do Pass; ☐ Amend & Do  
 Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to  
 Committee No. \_\_\_  
☐ Considered in Comm. of Whole  
☐ Amended  
☐ Recommended Do Pass  
☐ Failed Comm. of Whole  
☐ Indefinitely Postponed  
☐ Other: \_\_\_  
☐ Read Second Time  
☐ Amended  
☐ Do Pass  
☐ Do Not Pass  
☐ Accelerated to 3rd Rdg.  
☐ Read Third Time  
☐ Amended  
☐ Passed ☐ Failed  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Held for Reconsideration  
☐ Motion to Reconsider  
☐ Passed ☐ Failed  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Third Reading Vote  
 (On Reconsideration)  
☐ Passed ☐ Failed  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Sent to House (No Amendments)  
☐ Sent to LSO for Engrossing  
☐ ENGROSSED  
☐ Sent to House

## HOUSE ACTION ON SENATE FILE

☐ Received. Read First Time.  
 Referred to Committee No. \_\_\_  
☐ Returned from Committee No. \_\_\_  
 with Recommendation:  
☐ Do Pass; ☐ Amend & Do  
 Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to  
 Committee No. \_\_\_  
☐ Re-referred to Committee No. \_\_\_  
☐ Returned from Committee No. \_\_\_  
 with Recommendation:  
☐ Do Pass; ☐ Amend & Do  
 Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to  
 Committee No. \_\_\_  
☐ Considered in Comm. of Whole  
☐ Amended  
☐ Recommended Do Pass  
☐ Failed Comm. of Whole  
☐ Indefinitely Postponed  
☐ Other: \_\_\_  
☐ Read Second Time  
☐ Amended  
☐ Do Pass  
☐ Do Not Pass  
☐ Accelerated to 3rd Rdg.  
☐ Read Third Time  
☐ Amended  
☐ Passed ☐ Failed  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Held for Reconsideration  
☐ Motion to Reconsider  
☐ Passed ☐ Failed  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Third Reading Vote  
 (On Reconsideration)  
☐ Passed ☐ Failed  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Sent to Senate  
☐ Sent for Enrolling  
 SEA No. \_\_\_  
☐ Signed by President  
☐ Signed by Speaker  
☐ Approved by Governor  
 Chapter No. \_\_\_

INTRODUCED

SENATE FILE NO. SF0145

Teacher Employment Law-amendments.

Sponsored by: Senator(s) Coe

A BILL

for

1 AN ACT relating to Wyoming Teacher Employment Law; modifying  
2 the definition of continuing contract teacher; authorizing  
3 superintendents to temporarily suspend or dismiss teachers  
4 with pay pending formal hearing; providing for an informal  
5 conference on suspension or dismissal; authorizing  
6 suspension or dismissal without pay; clarifying application  
7 as specified; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 21-7-102(a)(ii) and (vi), 21-7-110(a)  
12 and (b) and 21-7-111(b) are amended to read:

13

14 **21-7-102. Definitions.**

15

16 (a) As used in the article: ~~the following definitions~~  
17 ~~shall apply:~~

18

1           (ii) "Continuing Contract Teacher" means a  
2 teacher who is not fulfilling a mandatory two (2) year  
3 period of initial contract status pursuant to subparagraph  
4 (a)(ii)(C) of this section and who has:

5  
6           (A) ~~Any initial contract teacher who has~~  
7 Been employed by the same school district in the state of  
8 Wyoming as an initial contact teacher for a period of ~~three~~  
9 ~~(3)~~ four (4) consecutive school years, and has had his  
10 contract renewed for a ~~fourth~~ fifth consecutive school year;  
11 or

12  
13           (B) ~~A teacher who has~~ Achieved continuing  
14 contract status in one (1) district, and who without lapse  
15 of time has taught ~~two (2)~~ three (3) consecutive school  
16 years and has had his contract renewed for a ~~third~~ fourth  
17 consecutive school year by the employing school district;

18  
19           (C) A teacher, after achieving continuing  
20 contract status pursuant to subparagraph (a)(ii)(A) or (B)  
21 of this section in any one (1) district for a period of five  
22 (5) consecutive school years, shall be returned to initial  
23 contract status for a period of two (2) consecutive school  
24 years immediately following each five (5) year period and  
25 shall not be considered a continuing contract teacher for

1 the two (2) year period of initial contract status. The  
2 teacher shall be returned to continuing contract status upon  
3 renewal of his contract for a third consecutive school year  
4 following the two (2) consecutive school years of initial  
5 contract status.

6  
7 (vi) "Suspension" means the removal of a teacher  
8 from the classroom during the school year, which is without  
9 termination of salary pending a hearing under W.S.  
10 21-7-110(c) through (g) and may be with termination of salary  
11 after the hearing;

12  
13 **21-7-110. Suspension or dismissal of teachers; notice;**  
14 **informal conference by superintendent; hearing; independent**  
15 **hearing officer; board review and decision; appeal.**

16  
17 (a) The superintendent may temporarily suspend or  
18 dismiss any teacher and the board may suspend or dismiss any  
19 teacher or terminate any continuing contract teacher for  
20 incompetency, neglect of duty, immorality, insubordination,  
21 unsatisfactory performance or any other good or just cause.

22  
23 (b) Suspension or dismissal proceedings shall be  
24 initiated by the superintendent or any member of the board  
25 designated by the superintendent or designated by the board

1 pursuant to a majority vote of the board delivering to the  
2 teacher a written notice of suspension or dismissal,  
3 together with written reasons. After delivery of notice of  
4 proposed suspension or dismissal, the superintendent may  
5 schedule and conduct an informal conference with the teacher  
6 concerning the reasons for suspension or dismissal. If after  
7 the informal conference, the superintendent determines that  
8 suspension or dismissal is in the best interests of the  
9 district, he may temporarily suspend or dismiss the teacher  
10 with pay pending a final decision by the board following a  
11 hearing in accordance with subsections (c) through (g) of this  
12 section. If suspension or dismissal is continued by order of  
13 the board pursuant to subsection (g) of this section, any  
14 period of suspension or dismissal may be without pay.

15

16 **21-7-111. Inapplicability of provisions.**

17

18 (b) Nothing in this article including the duty to  
19 provide a reason for termination of an initial contract  
20 teacher's employment, shall be interpreted as requiring any  
21 hearing or as requiring any proof of cause ~~if prior to~~  
22 termination of an initial contract teacher. School  
23 ~~districts are not prohibited from providing~~ may by policy or  
24 contract, provide additional procedures or rights to initial  
25 contract teachers.

1

2       **Section 2.** This act is effective July 1, 1997.

3

4

(END)

FISCAL NOTE

No significant fiscal or personnel impact.

SF 145

## THE LEGISLATURE OF THE STATE OF WYOMING

## Senate

Cheyenne, January 31, 1997

Mr. President:

Your

Committee No. 4 on EDUCATION to whom was referred  
SF0145 respectfully reports same back to the Senate with the  
recommendation that it

~~DO PASS with the following amendment(s): (SEE SCHEDULE A)~~

*be indefinitely postponed*

MEMBERVOTE

Zimmerman, Chairman  
Devin  
Job  
Phillips  
Geis

No  
No  
No  
No  
Aye

On the motion to Indefinitely Postpone

Zimmerman, Chairman  
Devin  
Geis  
Job  
Phillips

Aye  
Aye  
Aye  
Aye  
Aye

  
.....  
Chairman

BILL JACKET