

SENATE FILE NO. SF0072

Interstate Teacher Mobility Compact.

Sponsored by: Senator(s) Schuler, Brennan, Cooper, Olsen and Pappas and Representative(s) Erickson, Lawley and Williams

A BILL

for

1 AN ACT relating to education; entering into a compact with
2 other states to allow teachers licensed in one (1) compact
3 state to teach in other compact states; approving and
4 specifying terms of the compact; making conforming
5 amendments; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 21-26-101 and 21-26-102 are created
10 to read:

11

12 CHAPTER 26

13 INTERSTATE TEACHER MOBILITY COMPACT

14

15 **21-26-101. Short title.**

1

2 This chapter shall be known and may be cited as the
3 "Interstate Teacher Mobility Compact."

4

5 **21-26-102. Compact provisions generally.**

6

7 ARTICLE I

8 PURPOSE

9

10 The purpose of this compact is to facilitate the mobility
11 of teachers across the member states, with the goal of
12 supporting teachers through a new pathway to licensure.
13 Through this compact, the member states seek to establish a
14 collective regulatory framework that expedites and enhances
15 the ability of teachers to move across state lines.

16

17 This compact is intended to achieve the following
18 objectives and should be interpreted accordingly. The
19 member states hereby ratify the same intentions by
20 subscribing hereto:

21

22 A. Create a streamlined pathway to licensure mobility
23 for teachers;

1

2 B. Support the relocation of eligible military
3 spouses;

4

5 C. Facilitate and enhance the exchange of licensure,
6 investigative and disciplinary information between the
7 member states;

8

9 D. Enhance the power of state and district level
10 education officials to hire qualified, competent teachers
11 by removing barriers to the employment of out-of-state
12 teachers;

13

14 E. Support the retention of teachers in the
15 profession by removing barriers to relicensure in a new
16 state; and

17

18 F. Maintain state sovereignty in the regulation of
19 the teaching profession.

20

ARTICLE II

DEFINITIONS

23

1 As used in this compact, and except as otherwise provided,
2 the following definitions shall govern the terms herein:

3

4 A. "Active military member" means any person with
5 full-time duty status in the armed forces of the United
6 States, including members of the national guard and
7 reserve;

8

9 B. "Adverse action" means any limitation or
10 restriction imposed by a member state's licensing
11 authority, such as revocation, suspension, reprimand,
12 probation or limitation on the licensee's ability to work
13 as a teacher;

14

15 C. "Bylaws" means those bylaws established by the
16 commission;

17

18 D. "Career and technical education license" means a
19 current, valid authorization issued by a member state's
20 licensing authority allowing a person to serve as a teacher
21 in P-12 public educational settings in a specific career
22 and technical education area;

23

1 E. "Charter member state" means a member state that
2 has enacted legislation to adopt this compact where such
3 legislation predates the initial meeting of the commission
4 after the effective date of this compact;

5

6 F. "Commission" means the interstate administrative
7 body which membership consists of delegates of all states
8 that have enacted this compact, and which is known as the
9 interstate teacher mobility compact commission;

10

11 G. "Commissioner" means the delegate of a member
12 state;

13

14 H. "Eligible license" means a license to engage in
15 the teaching profession which requires at least a
16 bachelor's degree and the completion of a state approved
17 program for teacher licensure;

18

19 I. "Eligible military spouse" means the spouse of any
20 person in full-time duty status in the active armed forces
21 of the United States including members of the national
22 guard and reserve moving as a result of a military mission
23 or military career progression requirements or are on their

1 terminal move as a result of separation or retirement (to
2 include surviving spouses of deceased military members);

3

4 J. "Executive committee" means a group of
5 commissioners elected or appointed to act on behalf of, and
6 within the powers granted to them by, the commission as
7 provided for herein;

8

9 K. "Licensing authority" means an official, agency,
10 board or other entity of a state that is responsible for
11 the licensing and regulation of teachers authorized to
12 teach in P-12 public educational settings;

13

14 L. "Member state" means any state that has adopted
15 this compact, including all agencies and officials of such
16 a state;

17

18 M. "Receiving state" means any state where a teacher
19 has applied for licensure under this compact;

20

21 N. "Rule" means any regulation promulgated by the
22 commission under this compact, which shall have the force
23 of law in each member state;

1

2 O. "State" means a state, territory or possession of
3 the United States and the District of Columbia;

4

5 P. "State practice laws" means a member state's laws,
6 rules and regulations that govern the teaching profession,
7 define the scope of such profession and create the methods
8 and grounds for imposing discipline;

9

10 Q. "State specific requirement" means a requirement
11 for licensure covered in coursework or examination that
12 includes content of unique interest to the state;

13

14 R. "Teacher" means a person who currently holds an
15 authorization from a member state that forms the basis for
16 employment in the P-12 public schools of the state to
17 provide instruction in a specific subject area, grade level
18 or student population;

19

20 S. "Unencumbered license" means a current, valid
21 authorization issued by a member state's licensing
22 authority allowing a person to serve as a teacher in P-12
23 public educational settings. An unencumbered license is not

1 a restricted, probationary, provisional, substitute or
2 temporary credential.

3

4 ARTICLE III

5 LICENSURE UNDER THE COMPACT

6

7 A. Licensure under this compact pertains only to the
8 initial grant of a license by the receiving state. Nothing
9 herein applies to any subsequent or ongoing compliance
10 requirements that a receiving state might require for
11 teachers.

12

13 B. Each member state shall, in accordance with the
14 rules of the commission, define, compile and update as
15 necessary a list of eligible licenses and career and
16 technical education licenses that the member state is
17 willing to consider for equivalency under this compact and
18 provide the list to the commission. The list shall include
19 those licenses that a receiving state is willing to grant
20 to teachers from other member states, pending a
21 determination of equivalency by the receiving state's
22 licensing authority.

23

1 C. Upon the receipt of an application for licensure
2 by a teacher holding an unencumbered eligible license, the
3 receiving state shall determine which of the receiving
4 state's eligible licenses the teacher is qualified to hold
5 and shall grant such a license or licenses to the
6 applicant. Such a determination shall be made in the sole
7 discretion of the receiving state's licensing authority and
8 may include a determination that the applicant is not
9 eligible for any of the receiving state's eligible
10 licenses. For all teachers who hold an unencumbered
11 license, the receiving state shall grant one (1) or more
12 unencumbered licenses that, in the receiving state's sole
13 discretion, are equivalent to the licenses held by the
14 teacher in any other member state.

15

16 D. For active military members and eligible military
17 spouses who hold a license that is not unencumbered, the
18 receiving state shall grant an equivalent license or
19 licenses that, in the receiving state's sole discretion, is
20 equivalent to the license or licenses held by the teacher
21 in any other member state, except where the receiving state
22 does not have an equivalent license.

23

1 E. For a teacher holding an unencumbered career and
2 technical education license, the receiving state shall
3 grant an unencumbered license equivalent to the career and
4 technical education license held by the applying teacher
5 and issued by another member state, as determined by the
6 receiving state in its sole discretion, except where a
7 career and technical education teacher does not hold a
8 bachelor's degree and the receiving state requires a
9 bachelor's degree for licenses to teach career and
10 technical education. A receiving state may require career
11 and technical education teachers to meet state industry
12 recognized requirements, if required by law in the
13 receiving state.

14

ARTICLE IV

16 LICENSURE NOT UNDER THE COMPACT

17

18 A. Except as provided in article III above, nothing
19 in this compact shall be construed to limit or inhibit the
20 power of a member state to regulate licensure or
21 endorsements overseen by the member state's licensing
22 authority.

23

1 B. When a teacher is required to renew a license
2 received pursuant to this compact, the state granting such
3 a license may require the teacher to complete state
4 specific requirements as a condition of licensure renewal
5 or advancement in that state.

6

7 C. For the purposes of determining compensation, a
8 receiving state may require additional information from
9 teachers receiving a license under the provisions of this
10 compact.

11

12 D. Nothing in this compact shall be construed to
13 limit the power of a member state to control and maintain
14 ownership of its information pertaining to teachers or
15 limit the application of a member state's laws or
16 regulations governing the ownership, use or dissemination
17 of information pertaining to teachers.

18

19 E. Nothing in this compact shall be construed to
20 invalidate or alter any existing agreement or other
21 cooperative arrangement which a member state may already be
22 a party to or limit the ability of a member state to

1 participate in any future agreement or other cooperative
2 arrangement to:

3

4 1. Award teaching licenses or other benefits
5 based on additional professional credentials, including but
6 not limited to national board certification;

7

8 2. Participate in the exchange of names of
9 teachers whose license has been subject to an adverse
10 action by a member state; or

11

12 3. Participate in any agreement or cooperative
13 arrangement with a non-member state.

14

ARTICLE V

16 TEACHER QUALIFICATIONS AND REQUIREMENTS FOR LICENSURE UNDER
17 THE COMPACT

18

19 A. Except as provided for active military members or
20 eligible military spouses in article III.D above, a teacher
21 may only be eligible to receive a license under this
22 compact where that teacher holds an unencumbered license in
23 a member state.

1

2 B. A teacher eligible to receive a license under this
3 compact shall, unless otherwise provided for herein:

4

5 1. Upon their application to receive a license
6 under this compact, undergo a criminal background check in
7 the receiving state in accordance with the laws and
8 regulations of the receiving state; and

9

10 2. Provide the receiving state with information
11 in addition to the information required for licensure for
12 the purposes of determining compensation, if applicable.

13

ARTICLE VI

15 DISCIPLINE / ADVERSE ACTIONS

16

17 A. Nothing in this compact shall be deemed or
18 construed to limit the authority of a member state to
19 investigate or impose disciplinary measures on teachers
20 according to the state practice laws thereof.

21

22 B. Member states shall be authorized to receive, and
23 shall provide, files and information regarding the

1 investigation and discipline, if any, of teachers in other
2 member states upon request. Any member state receiving such
3 information or files shall protect and maintain the
4 security and confidentiality thereof, in at least the same
5 manner that it maintains its own investigatory or
6 disciplinary files and information. Prior to disclosing any
7 disciplinary or investigatory information received from
8 another member state, the disclosing state shall
9 communicate its intention and purpose for such disclosure
10 to the member state which originally provided that
11 information.

12

ARTICLE VII

14 ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY COMPACT

15 COMMISSION

16

17 A. The interstate compact member states hereby create
18 and establish a joint public agency known as the interstate
19 teacher mobility compact commission:

20

21 1. The commission is a joint interstate
22 governmental agency comprised of states that have enacted
23 the interstate teacher mobility compact;

1

2 2. Nothing in this compact shall be construed to
3 be a waiver of sovereign immunity.

4

5 B. Membership, voting and meetings:

6

7 1. Each member state shall have and be limited
8 to one (1) delegate to the commission, who shall be given
9 the title of commissioner;

10

11 2. The commissioner shall be the primary
12 administrative officer of the state licensing authority or
13 their designee;

14

15 3. Any commissioner may be removed or suspended
16 from office as provided by the law of the state from which
17 the commissioner is appointed;

18

19 4. The member state shall fill any vacancy
20 occurring in the commission within ninety (90) days;

21

22 5. Each commissioner shall be entitled to one
23 (1) vote about the promulgation of rules and creation of

1 bylaws and shall otherwise have an opportunity to
2 participate in the business and affairs of the commission.
3 A commissioner shall vote in person or by such other means
4 as provided in the bylaws. The bylaws may provide for
5 commissioners' participation in meetings by telephone or
6 other means of communication;

7

8 6. The commission shall meet at least once
9 during each calendar year. Additional meetings shall be
10 held as set forth in the bylaws;

11

12 7. The commission shall establish by rule a term
13 of office for commissioners.

14

15 C. The commission shall have the following powers and
16 duties:

17

18 1. Establish a code of ethics for the
19 commission;

20

21 2. Establish the fiscal year of the commission;

22

23 3. Establish bylaws for the commission;

1

2 4. Maintain its financial records in accordance
3 with the bylaws of the commission;

4

5 5. Meet and take such actions as are consistent
6 with the provisions of this compact, the bylaws and rules
7 of the commission;

8

9 6. Promulgate uniform rules to implement and
10 administer this compact. The rules shall have the force and
11 effect of law and shall be binding in all member states. In
12 the event the commission exercises its rulemaking authority
13 in a manner that is beyond the scope of the purposes of
14 this compact or the powers granted hereunder, then such an
15 action by the commission shall be invalid and have no force
16 and effect of law;

17

18 7. Bring and prosecute legal proceedings or
19 actions in the name of the commission, provided that the
20 standing of any member state licensing authority to sue or
21 be sued under applicable law shall not be affected;

22

23 8. Purchase and maintain insurance and bonds;

1

2 9. Borrow, accept or contract for services of
3 personnel, including, but not limited to, employees of a
4 member state or an associated non-governmental organization
5 that is open to membership by all states;

6

7 10. Hire employees, elect or appoint officers,
8 fix compensation, define duties, grant such persons
9 appropriate authority to carry out the purposes of this
10 compact and establish the commission's personnel policies
11 and programs relating to conflicts of interest,
12 qualifications of personnel and other related personnel
13 matters;

14

15 11. Lease, purchase, accept appropriate gifts or
16 donations of or otherwise own, hold, improve or use any
17 property, real, personal or mixed, provided that at all
18 times the commission shall avoid any appearance of
19 impropriety;

20

21 12. Sell, convey, mortgage, pledge, lease,
22 exchange, abandon or otherwise dispose of any property
23 real, personal or mixed;

1

2 13. Establish a budget and make expenditures;

3

4 14. Borrow money;

5

6 15. Appoint committees, including standing
7 committees composed of members and such other interested
8 persons as may be designated in this compact, rules or
9 bylaws;

10

11 16. Provide and receive information from, and
12 cooperate with, law enforcement agencies;

13

14 17. Establish and elect an executive committee;

15

16 18. Establish and develop a charter for an
17 executive information governance committee to advise on
18 facilitating exchange of information, use of information,
19 data privacy and technical support needs and provide
20 reports as needed;

21

22 19. Perform such other functions as may be
23 necessary or appropriate to achieve the purposes of this

1 compact consistent with the state regulation of teacher
2 licensure;

3

4 20. Determine whether a state's adopted language
5 is materially different from the model compact language
6 such that the state would not qualify for participation in
7 this compact.

8

9 D. The executive committee of the interstate teacher
10 mobility compact commission:

11

12 1. The executive committee shall have the power
13 to act on behalf of the commission according to the terms
14 of this compact;

15

16 2. The executive committee shall be composed of
17 eight (8) voting members:

18

19 a. The commission chair, vice chair and
20 treasurer; and

21

22 b. Five (5) members who are elected by the
23 commission from the current membership:

1

5

8

9 3. The commission may add or remove members of
10 the executive committee as provided in commission rules;

11

12 4. The executive committee shall meet at least
13 once annually;

14

15 5. The executive committee shall have the
16 following duties and responsibilities:

17

23

4

5 c. Prepare and recommend the budget;

6

9

10 e. Monitor compliance of member states and
11 provide reports to the commission;

12

15

16 6. Meetings of the commission:

17

18 a. All meetings shall be open to the public
19 and public notice of meetings shall be given in accordance
20 with commission bylaws;

21

1 in a closed, non-public meeting if the commission or
2 executive committee or other committees of the commission
3 shall discuss:

4

5 i. Non-compliance of a member state
6 with its obligations under this compact;

7

8 ii. The employment, compensation,
9 discipline or other matters, practices or procedures
10 related to specific employees or other matters related to
11 the commission's internal personnel practices and
12 procedures;

13

14 iii. Current, threatened or reasonably
15 anticipated litigation;

16

17 iv. Negotiation of contracts for the
18 purchase, lease or sale of goods, services or real estate;

19

20 v. Accusing any person of a crime or
21 formally censuring any person;

22

1 vi. Disclosure of trade secrets or
2 commercial or financial information that is privileged or
3 confidential;

4

8

11

12 ix. Disclosure of information related
13 to any investigative reports prepared by or on behalf of or
14 for use of the commission or other committee charged with
15 responsibility of investigation or determination of
16 compliance issues pursuant to this compact;

17

18 x. Matters specifically exempted from
19 disclosure by federal or member state statute;

20

21 xi. Others matters as set forth by
22 commission bylaws and rules.

23

6

16

17 7. Financing of the commission:

18

22

7

13

19

20 e. The commission shall keep accurate
21 accounts of all receipts and disbursements. The receipts
22 and disbursements of the commission shall be subject to
23 accounting procedures established under commission bylaws.

1 All receipts and disbursements of funds of the commission
2 shall be reviewed annually in accordance with commission
3 bylaws and a report of the review shall be included in and
4 become part of the annual report of the commission.

5

6 8. Qualified immunity, defense and
7 indemnification:

8

9 a. The members, officers, executive
10 director, employees and representatives of the commission
11 shall be immune from suit and liability, either personally
12 or in their official capacity, for any claim for damage to
13 or loss of property or personal injury or other civil
14 liability caused by or arising out of any actual or alleged
15 act, error or omission that occurred, or that the person
16 against whom the claim is made had a reasonable basis for
17 believing occurred within the scope of commission
18 employment, duties or responsibilities, provided that
19 nothing in this paragraph shall be construed to protect any
20 such person from suit or liability for any damage, loss,
21 injury or liability caused by the intentional or willful or
22 wanton misconduct of that person;

23

15

16 c. The commission shall indemnify and hold
17 harmless any member, officer, executive director, employee
18 or representative of the commission for the amount of any
19 settlement or judgment obtained against that person arising
20 out of any actual or alleged act, error or omission that
21 occurred within the scope of commission employment, duties
22 or responsibilities, or that such person had a reasonable
23 basis for believing occurred within the scope of commission

1 employment, duties or responsibilities, provided that the
2 actual or alleged act, error or omission did not result
3 from the intentional or willful or wanton misconduct of
4 that person.

5

ARTICLE VIII

7 RULEMAKING

8

9 A. The commission shall exercise its rulemaking
10 powers pursuant to the criteria set forth in this compact
11 and the rules adopted thereunder. Rules and amendments
12 shall become binding as of the date specified in each rule
13 or amendment.

14

15 B. The commission shall promulgate reasonable rules
16 to achieve the intent and purpose of this compact. In the
17 event the commission exercises its rulemaking authority in
18 a manner that is beyond the purpose and intent of this
19 compact, or the powers granted hereunder, then such an
20 action by the commission shall be invalid and have no force
21 and effect of law in the member states.

22

1 C. If a majority of the legislatures of the member
2 states rejects a rule, by enactment of a statute or
3 resolution in the same manner used to adopt this compact
4 within four (4) years of the date of adoption of the rule,
5 then such rule shall have no further force and effect in
6 any member state.

7

8 D. Rules or amendments to the rules shall be adopted
9 or ratified at a regular or special meeting of the
10 commission in accordance with commission rules and bylaws.

11

12 E. Upon determination that an emergency exists, the
13 commission may consider and adopt an emergency rule with
14 forty-eight (48) hours' notice, with opportunity to
15 comment, provided that the usual rulemaking procedures
16 shall be retroactively applied to the rule as soon as
17 reasonably possible, in no event later than ninety (90)
18 days after the effective date of the rule. For the purposes
19 of this provision, an emergency rule is one (1) that must
20 be adopted immediately in order to:

21

22 1. Meet an imminent threat to public health,
23 safety or welfare;

1

2 2. Prevent a loss of commission or member state
3 funds;

4

8

9 4. Protect public health and safety.

10

ARTICLE IX

12 FACILITATING INFORMATION EXCHANGE

13

14 A. The commission shall provide for facilitating the
15 exchange of information to administer and implement the
16 provisions of this compact in accordance with the rules of
17 the commission, consistent with generally accepted data
18 protection principles.

19

20 B. Nothing in this compact shall be deemed or
21 construed to alter, limit or inhibit the power of a member
22 state to control and maintain ownership of its licensee
23 information or alter, limit or inhibit the laws or

1 regulations governing licensee information in the member
2 state.

3

4 ARTICLE X

6

7 A. Oversight:

8

15

16 2. Venue is proper and judicial proceedings by
17 or against the commission shall be brought solely and
18 exclusively in a court of competent jurisdiction where the
19 principal office of the commission is located. The
20 commission may waive venue and jurisdictional defenses to
21 the extent it adopts or consents to participate in
22 alternative dispute resolution proceedings. Nothing herein
23 shall affect or limit the selection or propriety of venue

1 in any action against a licensee for professional
2 malpractice, misconduct or any such similar matter;

3

4 3. All courts and all administrative agencies
5 shall take judicial notice of this compact, the rules of
6 the commission and any information provided to a member
7 state pursuant thereto in any judicial or quasi-judicial
8 proceeding in a member state pertaining to the subject
9 matter of this compact or which may affect the powers,
10 responsibilities or actions of the commission;

11

12 4. The commission shall be entitled to receive
13 service of process in any proceeding regarding the
14 enforcement or interpretation of this compact and shall
15 have standing to intervene in such a proceeding for all
16 purposes. Failure to provide the commission service of
17 process shall render a judgment or order void as to the
18 commission, this compact or promulgated rules.

19

20 B. Default, technical assistance and termination:

21

22 1. If the commission determines that a member
23 state has defaulted in the performance of its obligations

1 or responsibilities under this compact or the promulgated
2 rules, the commission shall:

3

4 a. Provide written notice to the defaulting
5 state and other member states of the nature of the default,
6 the proposed means of curing the default or any other
7 action to be taken by the commission; and

8

9 b. Provide remedial training and specific
10 technical assistance regarding the default.

11

12 C. If a state in default fails to cure the default,
13 the defaulting state may be terminated from this compact
14 upon an affirmative vote of a majority of the commissioners
15 of the member states and all rights, privileges and
16 benefits conferred on that state by this compact may be
17 terminated on the effective date of termination. A cure of
18 the default does not relieve the offending state of
19 obligations or liabilities incurred during the period of
20 default.

21

22 D. Termination of membership in this compact shall be
23 imposed only after all other means of securing compliance

1 have been exhausted. Notice of intent to suspend or
2 terminate shall be given by the commission to the governor,
3 the majority and minority leaders of the defaulting state's
4 legislature, the state licensing authority and each of the
5 member states.

6

7 E. A state that has been terminated is responsible
8 for all assessments, obligations and liabilities incurred
9 through the effective date of termination, including
10 obligations that extend beyond the effective date of
11 termination.

12

13 F. The commission shall not bear any costs related to
14 a state that is found to be in default or that has been
15 terminated from this compact, unless agreed upon in writing
16 between the commission and the defaulting state.

17

18 G. The defaulting state may appeal the action of the
19 commission by petitioning the U.S. District Court for the
20 District of Columbia or the federal district where the
21 commission has its principal offices. The prevailing party
22 shall be awarded all costs of such litigation, including
23 reasonable attorney's fees.

1

2 H. Dispute resolution:

3

4 1. Upon request by a member state, the
5 commission shall attempt to resolve disputes related to
6 this compact that arise among member states and between
7 member and non-member states;

8

9 2. The commission shall promulgate a rule
10 providing for both binding and non-binding alternative
11 dispute resolution for disputes as appropriate.

12

13 I. Enforcement:

14

15 1. The commission, in the reasonable exercise of
16 its discretion, shall enforce the provisions and rules of
17 this compact;

18

19 2. By majority vote, the commission may initiate
20 legal action in the United States District Court for the
21 District of Columbia or the federal district where the
22 commission has its principal offices against a member state
23 in default to enforce compliance with the provisions of

1 this compact and its promulgated rules and bylaws. The
2 relief sought may include both injunctive relief and
3 damages. In the event judicial enforcement is necessary,
4 the prevailing party shall be awarded all costs of such
5 litigation, including reasonable attorney's fees. The
6 remedies herein shall not be the exclusive remedies of the
7 commission. The commission may pursue any other remedies
8 available under federal or state law.

9

10 ARTICLE XI

11 EFFECTUATION, WITHDRAWAL AND AMENDMENT

12

13 A. This compact shall come into effect on the date on
14 which the compact statute is enacted into law in the tenth
15 member state.

16

17 1. On or after the effective date of this
18 compact, the commission shall convene and review the
19 enactment of each of the charter member states to determine
20 if the statute enacted by each such charter member state is
21 materially different from the model compact statute;

22

1 2. A charter member state whose enactment is
2 found to be materially different from the model compact
3 statute shall be entitled to the default process set forth
4 in article X;

5

6 3. Member states enacting this compact
7 subsequent to the charter member states shall be subject to
8 the process set forth in article VII.C.20 to determine if
9 their enactments are materially different from the model
10 compact statute and whether they qualify for participation
11 in this compact.

12

13 B. If any member state is later found to be in
14 default, or is terminated or withdraws from this compact,
15 the commission shall remain in existence and this compact
16 shall remain in effect even if the number of member states
17 should be less than ten (10).

18

19 C. Any state that joins this compact after the
20 commission's initial adoption of the rules and bylaws shall
21 be subject to the rules and bylaws as they exist on the
22 date on which this compact becomes law in that state. Any
23 rule that has been previously adopted by the commission

1 shall have the full force and effect of law on the day this
2 compact becomes law in that state, as the rules and bylaws
3 may be amended as provided in this compact.

4

5 D. Any member state may withdraw from this compact by
6 enacting a statute repealing the same.

7

8 1. A member state's withdrawal shall not take
9 effect until six (6) months after enactment of the
10 repealing statute;

11

12 2. Withdrawal shall not affect the continuing
13 requirement of the withdrawing state's licensing authority
14 to comply with the investigative and adverse action
15 reporting requirements of this act prior to the effective
16 date of withdrawal.

17

18 E. This compact may be amended by the member states.
19 No amendment to this compact shall become effective and
20 binding upon any member state until it is enacted into the
21 laws of all member states.

22

23 ARTICLE XII

1 CONSTRUCTION AND SEVERABILITY

2

3 This compact shall be liberally construed to effectuate the
4 purposes thereof. The provisions of this compact shall be
5 severable and if any phrase, clause, sentence or provision
6 of this compact is declared to be contrary to the
7 constitution of any member state or a state seeking
8 membership in this compact, or of the United States or the
9 applicability thereof to any other government, agency,
10 person or circumstance is held invalid, the validity of the
11 remainder of this compact and the applicability thereof to
12 any government, agency, person or circumstance shall not be
13 affected thereby. If this compact shall be held contrary to
14 the constitution of any member state, this compact shall
15 remain in full force and effect as to the remaining member
16 states and in full force and effect as to the member state
17 affected as to all severable matters.

18

19 ARTICLE XIII

20 CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

21

1 A. Nothing herein shall prevent or inhibit the
2 enforcement of any other law of a member state that is not
3 inconsistent with this compact.

4

5 B. Any laws, statutes, regulations or other legal
6 requirements in a member state in conflict with this
7 compact are superseded to the extent of the conflict.

8

9 C. All permissible agreements between the commission
10 and the member states are binding in accordance with the
11 agreements' terms.

12

13 **Section 2.** W.S. 7-19-106(a) (xxvi), 7-19-201(a) (iii),
14 21-2-403(a), 21-2-802(b), (d), (e) (intro), (i), (f), (k),
15 (m) and by creating new subsections (n) and (o),
16 21-2-906(a) (i), 21-3-308(h), 21-7-303(a), 21-7-304,
17 21-7-401, 21-13-309(m) (v) (D) (II), 25-12-101(b) (i) and (ii)
18 and 33-1-115(a) (ii) (C) are amended to read:

19

20 **7-19-106. Access to, and dissemination of,**
21 **information.**

22

1 (a) Criminal history record information shall be
2 disseminated by criminal justice agencies in this state,
3 whether directly or through any intermediary, only to:

4

5 (xxvi) The Wyoming professional teaching
6 standards board for purposes of obtaining background
7 information on applications for certification, licensure
8 under the Interstate Teacher Mobility Compact pursuant to
9 W.S. 21-26-102 and if requested by a school district, to
10 school district boards of trustees for obtaining background
11 information on employees who may have access to minors in
12 the course of employment;

13

14 **7-19-201. State or national criminal history record**
15 **information.**

16

17 (a) The following persons shall be required to submit
18 to fingerprinting in order to obtain state and national
19 criminal history record information:

20

21 (iii) Applicants for initial certification by
22 the professional teaching standards board or licensure
23 under the Interstate Teacher Mobility Compact under W.S.

1 21-26-102 and employees initially hired by a school
2 district on or after July 1, 1996, who may have access to
3 minors in the course of their employment. In accordance
4 with W.S. 21-3-111(a) (xxi), employees of a school district
5 who meet the qualifications of this paragraph shall also be
6 required to submit to fingerprinting for purposes of this
7 subsection upon request of, and payment of applicable fees
8 by, the employing school district;

9

10 **21-2-403. Licensing and regulation of qualifications
11 of agents of private schools and institutions; fee.**

12

13 (a) Agents of those schools or institutions specified
14 under W.S. 21-2-401(a) or (b) who operate in the state and
15 agents employed to solicit resident students by schools or
16 institutions located outside the state which are similar to
17 schools or institutions specified under W.S. 21-2-401(a) or
18 (b), shall be licensed under this article or licensed under
19 the Interstate Teacher Mobility Compact pursuant to W.S.
20 21-26-102 before soliciting students and representing
21 schools or institutions in this state.

22

1 **21-2-802. Powers and duties; teacher certification;**
2 **suspension and revocation; certification fees; disposition**
3 **of collected fees; required data submissions to department**
4 **of education.**

5

6 (b) The board may enter into reciprocal agreements
7 with other states for the purposes of granting
8 certification pursuant to this section. The authority
9 provided to the board under this subsection to issue
10 reciprocal certifications to teachers in this state shall
11 be separate from and in addition to the authority provided
12 to the board in accordance with the Interstate Teacher
13 Mobility Compact under W.S. 21-26-102.

14

15 (c) The board may revoke, suspend, deny or refuse to
16 renew certification, including certification under the
17 Interstate Teacher Mobility Compact under W.S. 21-26-102,
18 for incompetency, conviction of a felony committed after
19 July 1, 1996, immorality and other reprehensible conduct or
20 gross neglect of duty or knowing misrepresentation of
21 information on an application or resume, upon its own
22 motion or upon the petition of any local board of trustees.
23 Except as provided in subsection (k) of this section, no

1 certificate shall be revoked or suspended without a hearing
2 conducted in accordance with the Wyoming Administrative
3 Procedure Act, unless the person holding the certification
4 waives the right to a hearing.

5

6 (d) The board may establish reasonable fees for
7 application and issuance of certification under this
8 section or in accordance with the Interstate Teacher
9 Mobility Compact under W.S. 21-26-102 and may require the
10 payment of fees as a condition for issuing any certificate.
11 The fees may include the costs associated with the criminal
12 history background check required by paragraph (e)(ii) of
13 this section and the Interstate Teacher Mobility Compact by
14 W.S. 21-26-102. Fees collected by the board pursuant to
15 this subsection shall be deposited with the state treasurer
16 or with the Interstate Teacher Mobility Compact Commission
17 as specified by W.S. 21-26-102. Upon receipt, the state
18 treasurer shall credit the revenues to a separate account.
19 Expenditures from the account shall be for expenses
20 incurred by the board in administering this article.

21

22 (e) No certification shall be issued under this
23 section or in accordance with the Interstate Teacher

1 Mobility Compact under W.S. 21-26-102 until a criminal
2 history background check has been filed with and received
3 by the board, the applicant provides a release of
4 information and the applicant consents to the release of
5 any criminal history information to the board and if
6 applicable, to the employing school district. Upon receipt
7 of a background report pursuant to this subsection or the
8 Interstate Teacher Mobility Compact under W.S. 21-26-102
9 indicating that the applicant has a conviction equal to a
10 felony under Wyoming law or any conviction for an act which
11 would constitute a violation under chapter 2 or chapter 4
12 of title 6 of the Wyoming statutes, the board shall
13 immediately provide a copy of the report to the employing
14 local school board if the information involves a certified
15 individual employed by that local board and if the local
16 board has requested a copy of the report. For all persons
17 seeking initial certification under this section or in
18 accordance with the Interstate Teacher Mobility Compact
19 under W.S. 21-26-102 on or after July 1, 1996:

20

21 (i) The applicant shall be required to verify
22 under oath whether he has been convicted of a felony. The
23 board may deny certification ofunder this section or under

1 the Interstate Teacher Mobility Compact under W.S.
2 21-26-102 for any applicant who has been convicted of a
3 felony that relates to the practice of teaching or to the
4 ability to practice as a teacher and may annul a
5 certificate under this section or under the Interstate
6 Teacher Mobility Compact under W.S. 21-26-102 for
7 misrepresentation by an applicant of his criminal history.
8 Any felony related to a sexual offense shall be considered
9 to relate to the practice of teaching. Action by the board
10 to annul a certificate under this section or under the
11 Interstate Teacher Mobility Compact under W.S. 21-26-102
12 shall be taken following a hearing conducted in accordance
13 with the Wyoming Administrative Procedure Act, unless the
14 person holding the certification under this section or
15 under the Interstate Teacher Mobility Compact under W.S.
16 21-26-102 waives the right to a hearing;

17

18 (f) Any local school board dismissing or accepting
19 the resignation of a person holding certification under
20 this section or in accordance with the Interstate Teacher
21 Mobility Compact under W.S. 21-26-102 shall notify the
22 professional standards teaching board of the dismissal or
23 resignation, if the dismissal or acceptance of the

1 resignation was based in whole or in part upon the person's
2 conviction of a felony.

3

4 (k) Upon receipt from the department of family
5 services of a certified copy of an order from a court to
6 withhold, suspend or otherwise restrict a license issued by
7 the board or issued pursuant to the Interstate Teacher
8 Mobility Compact under W.S. 21-26-102, the board shall
9 notify the party named in the court order of the
10 withholding, suspension or restriction of the license in
11 accordance with the terms of the court order. No appeal
12 under the Wyoming Administrative Procedure Act shall be
13 allowed for a license withheld, suspended or restricted
14 under this subsection.

15

16 (m) In accordance with criteria and guidelines
17 established by the state superintendent of public
18 instruction, the board shall submit data elements collected
19 from school administrators, teachers and other school
20 district personnel certified under this article or in
21 accordance with the Interstate Teacher Mobility Compact
22 under W.S. 21-26-102 to the department of education for
23 housing in the department's data base repository.

1

2 (n) The board shall administer the provisions of the
3 Interstate Teacher Mobility Compact under W.S. 21-26-102,
4 including factoring the annual assessment required under
5 the compact into the board's biennium budget and
6 promulgating any rules necessary for implementation of the
7 compact.

8

9 (o) The board shall issue a teacher certification to
10 an applicant who is certified in a member state in
11 accordance with the Interstate Teacher Mobility Compact
12 under W.S. 21-26-102.

13

14 **21-2-906. Duties of the state superintendent.**

15

16 (a) The state superintendent of public instruction
17 shall:

18

19 (i) Establish a certification process for
20 education service providers, including teachers licensed
21 under the Interstate Teacher Mobility Compact pursuant to
22 W.S. 21-26-102, which shall ensure ESA students attending
23 qualified schools in kindergarten through grade twelve (12)

1 receive instruction in reading, writing, mathematics,
2 civics, history, literature and science throughout their
3 kindergarten through grade twelve (12) tenure, and for
4 pre-kindergarten ensure ESA students at minimum receive
5 instruction necessary for preparation to enter
6 kindergarten;

7

8 **21-3-308. Hearing by authorizer; prohibited actions**
9 **by authorizer; criteria; compliance with state standards;**
10 **contractual authority.**

11

12 (h) Those teachers employed on a full-time basis in
13 the charter school system shall be subject to the same
14 requirements with respect to certification by the Wyoming
15 professional teaching standards board under W.S. 21-2-802
16 and in accordance with the Interstate Teacher Mobility
17 Compact under W.S. 21-26-102 and other qualifications as
18 any other teachers authorized to teach in Wyoming public
19 schools.

20

21 **21-7-303. Certificate or permit required; exception.**

22

12
13 21-7-304. Candidate for certificate must pass
14 examination on state and federal constitutions.

16 All persons hereafter applying for certificates authorizing
17 them to become administrators or teachers in the public
18 schools of this state, including teachers applying for
19 licensure under the Interstate Teacher Mobility Compact
20 under W.S. 21-26-102, shall before receiving such
21 certificate be required to pass a satisfactory examination
22 upon the provisions and principles of the constitutions of
23 the United States and the state of Wyoming or present

1 evidence of having successfully completed a course
2 equivalent to that required in W.S. 21-9-102.

3

4 **21-7-401. Boards of trustees to require criminal**
5 **history background information.**

6

7 The board of trustees of each school district within the
8 state shall require any employee initially hired by the
9 school board on or after July 1, 1996, who may have access
10 to minors to submit to fingerprinting for the purpose of
11 obtaining state or national criminal history record
12 information before employment. The provisions of this
13 section shall not apply to persons certificated under W.S.
14 21-2-802 or under the Interstate Teacher Mobility Compact
15 under W.S. 21-26-102 who have met the requirements of this
16 section pursuant to the certification process.

17

18 **21-13-309. Determination of amount to be included in**
19 **foundation program for each district.**

20

21 (m) In determining the amount to be included in the
22 foundation program for each district, the state
23 superintendent shall:

1

2 (v) Based upon ADM computations and identified
3 school configurations within each district pursuant to
4 paragraph (iv) of this subsection, compute the foundation
5 program amount for each district as prescribed by the
6 education resource block grant model adopted by the Wyoming
7 legislature as defined under W.S. 21-13-101(a)(xiv), as
8 contained within the spreadsheets and accompanying reports
9 referenced under W.S. 21-13-101(a)(xvii). The following
10 criteria shall be used by the state superintendent in the
11 administration of the education resource block grant model:

12

13 (D) Career and technical education
14 computations within the education resource block grant
15 model shall be based upon:

16

17 (II) Career and technical education
18 programs offered in grades nine (9) through twelve (12)
19 consisting of a sequence of three (3) or more career and
20 technical courses in an occupational area or career cluster
21 that provides students with the technical knowledge, skills
22 or proficiencies necessary to obtain employment in current
23 or emerging occupations or to pursue advanced skill

1 training. To qualify under this subdivision, a career and
2 technical course shall be offered pursuant to W.S.
3 21-9-101(b)(i)(J) and aligned with state content and
4 performance standards prescribed by the state board of
5 education under W.S. 21-2-304(a)(iii), and except as
6 provided under W.S. 21-2-202(a)(xxvii), shall be provided
7 by a teacher certified by the Wyoming professional teaching
8 standards board or in accordance with the Interstate
9 Teacher Mobility Compact under W.S. 21-26-102 for the
10 career and technical subject area associated with the
11 course;

12

13 **25-12-101. Wyoming school for the deaf;**
14 **establishment; purpose; supervision.**

15

16 (b) The Wyoming school for the deaf shall be operated
17 and maintained under the general supervision of the
18 superintendent of public instruction pursuant to W.S.
19 21-2-202. The superintendent shall promulgate rules and
20 regulations for the administration of the program and shall
21 facilitate continued cooperation with Natrona county school
22 district number 1. The school shall be staffed as follows:

23

7

13

33-1-115. Professional assistance programs for health care providers and others as specified; confidentiality of records.

17

18 (a) As used in this section:

19

20 (ii) "Licensee" means:

21

22 (C) Any individual teaching in a public
23 school pursuant to a certificate or permit issued under the

1 laws of this state, including licensure under the
2 Interstate Teacher Mobility Compact under W.S. 21-26-102,
3 by the Wyoming professional teaching standards board.

4

5 **Section 3.** This act is effective July 1, 2026.

6

7 (END)