



August 5, 2026

SENT VIA EMAIL AND U.S. MAIL

Cole Wright, Board Chairman
Sweetwater County School District #1
3550 Foothill Boulevard
Rock Springs, WY 82901
wrightc@sw1.k12.wy.us

Re: Sweetwater County School District #1 Public Comment Policy

Dear Chairman Wright:

The Scharf-Norton Center for Constitutional Litigation at the Goldwater Institute (the “Goldwater Institute”) represents Cherell O’Driscoll regarding certain restrictions in the Sweetwater County School District #1’s (“District”) Policy KD, which governs “Public Participation at Board Meetings,” that raise facial constitutional violations and have been unconstitutionally enforced against her. The purpose of this letter is to respectfully urge the District’s Board of Trustees (“Board”) to bring Policy KD and its enforcement into full compliance with the First Amendment to the U.S. Constitution and analogous provisions of the Wyoming Constitution.

Background

Origins of Revised Policy KD – Public Participation at Board Meetings

On August 11, 2025, you announced that the District would be changing its public comment policies in light of litigation involving another Wyoming school district, following an online petition regarding a District administrator, and at the direction of legal counsel.¹ You characterized the impending update as “not a board decision—it’s a legal update to the policy and something that the Board needs to adopt in order to maintain compliance and be appropriate legally.”

On September 8, 2025, the Board formally discussed amending its previously content-neutral Policy KD to add new content-based restrictions on public comment at (or, impliedly, submitted in writing in advance of) board meetings. A redlined copy of Policy KD, as amended

¹ A recording of the August 11, 2025 meeting, with the relevant remarks beginning at the 31:27 mark, can be found here: https://youtu.be/U6Dg34wO_Qc?t=1887.

and presented at the September 8, 2025 meeting, is appended as Attachment 1. The substantive additions read as follows:

The Board shall also set reasonable limits on content for public comment and discussion.

Speakers may make comments on school operations, school programs or other matters that relate directly to the school district. The Chairman shall limit public comment to matters related to the Board's business, including policy, programming, operations, and other issues of current relevance, such as items on the agenda or follow-up to prior Board discussions. To ensure an orderly and productive meeting, the Board Chairman may ask for clarification or redirect comments that are personal in nature or fall outside the scope of Board business.

Comments regarding the performance or employment of individual district employees will not be permitted. Matters involving confidential personnel issues such as appointment, evaluation, reassignment, discipline, or dismissal will be redirected by the Board Chairman to the appropriate process, such as those outlined in Policy KLD (*Complaints about School Personnel*) or Policy GBM (*Staff Complaints and Grievances*). Comments regarding matters involving individual students will also not be permitted. Concerns relating to individual students will be referred to the appropriate internal, administrative, or complaint process set forth in policy.

Attachment 1 at 1–2.

After the Board heard multiple parents and community members speak² in opposition to the proposed changes—including clear explanations of some of the legal vulnerabilities of the potential revisions—you spoke at length regarding the proposal and its context, including the recent case of *Pollak v. Wilson*,³ out of Sheridan County School District #2.

You stated in part that, “[t]he proposed revisions clarify roles and expectations in light of recent Wyoming court decisions, which reaffirm that board meetings are a limited public forum. A limited forum naturally lends itself to reasonable *viewpoint-neutral* rules that keep comments

² A recording of the September 8, 2025 meeting, the public comment portion of which begins at the 1:25:26 mark and the portion regarding Policy KD begins at 2:09:23, can be found here: <https://youtu.be/pAdvAajqOas?t=5136>. That meeting's agenda and minutes are available here: <https://tinyurl.com/ysekzumv>.

³ Case No. 22-CV-49-ABJ, 2024 WL 5164934 (D. Wyo., Oct. 25, 2024).

relevant to board business, protect confidentiality, and allow meetings to run smoothly.” (emphasis added).

You also responded to early criticisms of the proposed changes, assuring the public that the policy would not “silence parents,” rejecting the notion that the revisions would reduce transparency and accountability because “[t]ransparency means that the Board’s work is done in public” and the changes “support that.”

Additional discussion ensued, including an acknowledgement from then-Trustee Dr. Cole Seppie that “it’s a tough line to toe here.” Superintendent Libby chimed in on the *Pollak* case, stating that there,

the findings were really related to the misuse of the policy. So, it was used to silence folks that were speaking negatively about individuals and in that instance the superintendent. But in the other instances when someone came to the microphone and spoke positively about something the mic was open and the time was provided. So it was really the absolute inconsistency in how the policy was being presented.

(emphasis added).

Following further discussion, the Board decided to table the proposal until the next meeting, as noted in the meeting minutes.⁴

Adoption of the Revisions

On October 13, 2025, the Board heard more public comments that referenced the potential revisions, including its effects on citizen and parental speech.⁵

During that meeting, Trustee Matthew Gardner stated that one objective of the revisions was “to keep the people bringing forward the public comment from getting sued, because you absolutely can be held accountable for what you bring forth in a public forum.”⁶

⁴ <https://tinyurl.com/ysekzumv>.

⁵ The October 13, 2025 meeting, the public comment portion of which begins at 1:59:00, and the portion discussing and approving Policy KD’s revisions beginning at 3:13:26, can be viewed here: <https://youtu.be/eRJGOiUeBBk?t=7140>. That meeting’s agenda and minutes are available here: <https://tinyurl.com/cbnyrvwn>.

⁶ This comment confirms that the Policy is designed to stop certain speech from occurring. In other words, it operates as a prior restraint because it forbids certain communications in advance. *See Operation Save America v. City of Jackson*, 275 P.3d 438, 457 ¶ 60 (Wyo. 2012). Prior restraints bear “a heavy presumption against their constitutional validity” because they are “the most serious and the least tolerable infringement on First Amendment rights.” *Id.* ¶ 61 (citation omitted).

You also said that “the way that this new language is, going forward, you may be asked to consider rephrasing the way that you’re providing a comment,” and you provided an example of reframing an individual complaint as a broader policy change.

After the discussion concluded, the revisions were adopted unanimously by the Board members present. A final version of Policy KD, as adopted, is included as Attachment 2.

Fallout and Concerns

Predictably, despite the stated intentions, these changes have resulted in confusion and censorship of parent comments to the Board, creating an unnecessary and unconstitutional chilling effect⁷ over speech protected by both the U.S. and Wyoming Constitutions. Of greatest concern are the new provisions disallowing “[c]omments regarding the performance or employment of individual district employees,” including “confidential personnel issues such as appointment, evaluation, reassignment, discipline, or dismissal,” Attachment 2 at 1, which result in viewpoint discrimination and censorship of public criticism of school employees.

As you know, our client, Ms. O’Driscoll, is a parent in the District who regularly offers public comments to the Board, both in person at public meetings and in writing beforehand. These comments have not been treated consistently—or constitutionally—under Policy KD.

April 13, 2026 Written Public Comment

Prior to the April 13, 2026 board meeting, Ms. O’Driscoll submitted a written public comment that criticized a high-ranking school administrator (discussed further *infra*). That comment was omitted entirely from the compilation of written public comments that was originally included in the public board meeting materials, which is appended here as Attachment 3.

At the meeting,⁸ you began by reading the District’s “Guidelines for Public Comments and Questions,” a copy of which is appended as Attachment 4, and which is also referred to as the “Public Comment Dialogue” document included in the Board’s agendas.⁹ It states in part that “[a]ll written comments will be posted in the ‘Written Public Comment’ section of the agenda for review by all attendees, including Trustees.” That clearly did not occur.

You later confirmed this guideline deviation when you added, after referencing Policy KD and concluding the prepared introduction statement, that “we did receive two written public

⁷ See, e.g., *Moms for Liberty - Brevard Cnty. v. Brevard Public Schools*, 118 F.4th 1324, 1330–31 (11th Cir. 2024) (discussing credible allegations of reasonable self-censorship based on “the operation of the Board’s policies governing participation in the public comment portions of their meetings [that] objectively chills expression”).

⁸ The video recording of the April 13, 2026 meeting, the public comment portion of which begins around the 2:45:44 mark, can be found here: <https://youtu.be/Z97mzL4H3Mw?t=9944>.

⁹ See, e.g., *infra* n.13.

comments, but only one is provided in the agenda. The other one had some personnel identification, so that has been provided to the board for review, and I would direct your attention to that in a more private setting.”

On May 4, 2026, the District amended its meeting materials for the April 13, 2026 meeting to include an acknowledgement that Ms. O’Driscoll submitted a written public comment to the board in her capacity as a parent, but that comment was still redacted “because it requests disciplinary action regarding an individual employee. Concerns involving confidential personnel matters are redirected to the appropriate channels for review and follow-up.” The amended written public comment document is included as Attachment 5.

To date, the District has continued to censor Ms. O’Driscoll’s written public comment that was submitted in advance of the April 13, 2026 board meeting, refusing to publicly release it in any form.¹⁰

April 13, 2026 In-Person Public Comment

Ms. O’Driscoll offered a separate in-person¹¹ public comment that also “had some personnel identification” and that concerned “the performance or employment of individual district employees.” But these comments—which praised, rather than criticized certain school employees—were permitted.

She stated:

Members of the Board, Superintendent Libby, my name is Cherell O’Driscoll and I come here as a parent. I come here tonight [because] I wanted to give praise to Mr. Lott and Koral Shook [Hueller] at the Rock Springs Junior High. They were able to give my daughter a chance to stand up for herself, with their guidance, and give her a voice, and I really appreciate that. She was able to confront a student head-on in the office, and they were able to take accountability for actions, and it was done in a very positive way. So, I think that accountability can go both ways. It has been portrayed, it has been very, very negative when people are asking for accountability, but it can also be very positive as well. I, too,

¹⁰ On April 14, 2026, the day after the April board meeting, the Institute requested copies of all written public comments submitted to the board from July 1, 2025, through April 14, 2026. The unlawful withholding of records responsive to that request is the topic of a separate letter to Superintendent Libby regarding issues arising under the Wyoming Public Records Act.

¹¹ At the meeting, you initially described the in-person public comments as “in-public comment” and “in-public public comments.” But even in Policy KD there is no distinction made between written and in-person public comments. Written *public* comments are still—and should be—*public*. That’s true under Wyoming’s *Public* Records Act and under constitutional speech principles. There’s no such thing as a “private” or “confidential” *public* comment.

would like to ask for some accountability on your end. I have still received no correspondence from my questions in the written [comment] that I wrote in in February. And then I have also still not received anything from last meeting as well. Thank you.

You then proceeded to respond to her previous comments, apologizing that some of them were “purposely avoided” due to the tabling of a proposed policy. But no concerns were raised regarding the uninterrupted “positive” comment she had just offered—a comment which named and praised two individual school employees regarding their performance of official duties in relation to her daughter.¹²

Importantly, both Ms. O’Driscoll’s written and in-person comments related to agendized items of Board business scheduled to be discussed that evening. Items 5K and 5L on the April 13, 2026 Board Meeting Agenda¹³ concerned the rehiring and contract renewals of various certified staff¹⁴ and administrators,¹⁵ respectively.

Regarding Item 5K, Ms. O’Driscoll’s in-person public comment directly praised Ms. Koral (Shook) Hueller, a Counselor at Rock Springs Junior High, whose contract was up for renewal.¹⁶ Ms. O’Driscoll also praised Mr. Anthony Lott, the Associate Principal/Athletic Director at Rock Springs Junior High, whose contract was also up for consideration as part of the package of Certified Administrator Contract Renewals listed in Item 5L.¹⁷ As discussed below, Ms. O’Driscoll’s written public comment criticized Assistant Superintendent Nicole Bolton and called on the Board to not renew her contract, which was also agendized in Item 5L.¹⁸

¹² Ms. O’Driscoll’s identification of her daughter also seems prohibited by the text of Policy KD, which states that “[c]omments regarding matters involving individual students will also not be permitted.” Attachment 2 at 2. To the extent that provision bars a parent from speaking about their own children, in addition to raising constitutional speech concerns, the revised Policy likely violates parental rights which are protected by the Fourteenth Amendment to the U.S. Constitution and by independent provisions of Wyoming law. *See, e.g., Pierce v. Soc’y of Sisters*, 268 U.S. 510, 534–35 (1925) (recognizing “the liberty of parents and guardians to direct the upbringing and education of children under their control”); *D.S. v. Dep’t of Pub. Assistance and Social Svcs.*, 607 P.2d 911, 918 (Wyo. 1980) (citing Article 1, Sections 2, 6, 7, and 36 of the Wyoming Constitution for the proposition that “the right to associate with one’s family is a fundamental liberty”); W.S. § 14-2-206 (“The liberty of a parent to the care, custody and control of their child is a fundamental right” that “shall not [be] infringe[d] ... without ... a compelling state interest addressed by the least restrictive means,” which “shall also apply to any state or local education agency, school district, board of trustees, commission or school ... regarding communication or disclosure to a parent about that parent’s unemancipated child.”).

¹³ <https://tinyurl.com/3eskjh9m>

¹⁴ <https://tinyurl.com/5n75mvv9>.

¹⁵ <https://tinyurl.com/yphrknv3>.

¹⁶ *See supra* n. 14.

¹⁷ *See supra* n. 15.

¹⁸ *See id.*

Item 5K passed unanimously as part of the Board’s consent agenda. However, Item 5L was removed from the consent agenda and held over to the May 11, 2026 meeting to allow the Board additional time to consider it in light of the District’s financial outlook and recent legislative changes.¹⁹

Email Exchange Between Ms. O’Driscoll and
District Director of Human Resources Tiffany Gunter

On April 17, 2026, the District’s Director of Human Resources, Tiffany Gunter, emailed Ms. O’Driscoll regarding her submitted written public comment. That email and subsequent exchanged replies are attached as Attachment 6. Ms. Gunter requested additional information and documentation regarding Ms. O’Driscoll’s concerns so that District administrators—not the Board—could review.²⁰ *Id.* at 3. Ms. Gunter also shared a copy of the written public comment for reference, in which Ms. O’Driscoll wrote:

I understand at tonight's meeting the board will be considering the continued employment of various staff. I would like to see the dismissal of Assistant Superintendent Nicole Bolton in her current position. She should face disciplinary actions for mishandling of interactions with parents, teachers and students. She creates an unfriendly and hostile environment. I do not know the inner workings of her contracts and tenure, but if she is unable to be removed from the district completely, she could at least be reassigned. Thank you for your time.

Id.

On April 28, 2026, Ms. O’Driscoll responded to Ms. Gunter that she would “gladly share” the additional requested information “at the next board meeting in May.” *Id.* at 2. She explained, “Since the administrative contract portion was tabled, I feel it would be better presented to the board so they have the information directly from me.” *Id.*

¹⁹ See the April 13, 2026 meeting recording, *supra* n. 8, around the 48:30 mark.

²⁰ See Policy KLD requires that “[c]omplaints made directly to the Board of Trustees or to any member of the Board of Trustees shall be referred to the Superintendent or his designee for investigation and/or resolution.” <https://tinyurl.com/2faycap3>. Notably, Policy KLD contemplates that complaints can and will be made to the Board and its members directly—it doesn’t purport to stop the complaints from being made, or made publicly. The policy just says that once a written complaint is received, that it will be referred to administrative staff for investigation or resolution. The policy also reiterates that any action taken by the Board must occur in a meeting conducted in compliance with the Wyoming Public Meetings Act, which requires that formal action must be taken in a public meeting, *see supra* n. 7, and contemplates that members of the public may seek recognition at such a meeting for purposes of commenting on any proposed action. W.S. § 16-4-403(a)–(b).

On May 4, 2026, Ms. Gunter replied with this admonishment:

As a reminder, public comment is intended for matters related to District policies, operations, programs, and other items within the Board's governance. Topics that are more appropriately addressed through administrative channels should be directed accordingly. Consistent with Policy KD, comments regarding the performance or employment of individual District employees will not be permitted in a public setting. Matters involving confidential personnel issues, including appointment, evaluation, reassignment, discipline, or dismissal, will be redirected to the appropriate process.

Id. at 1. Ms. Gunter provided additional information regarding the omission of Ms. O'Driscoll's written public comment from the April 13, 2026 meeting materials, stating that it "was not included in the public posting because it called for evaluative consideration by the Board regarding the performance and employment of an individual employee," and citing Policy KD. *Id.* She also asserted that due to the Superintendent's role in making contract recommendations to the Board, "[i]f information is first presented during public comment, the District is not in a position to investigate or verify those concerns at that time and the Board cannot take action based on unreviewed information presented publicly." *Id.* at 1–2. She encouraged Ms. O'Driscoll to provide any additional supporting information in advance of the May meeting if she "would like [her] concerns considered as part of this process." *Id.* at 2.

May 11, 2026 In-Person Public Comment

Ms. O'Driscoll opted to attempt to provide her additional information by speaking directly to the Board at the May 11, 2026 meeting.²¹

She remarked:

Board of Trustees, Superintendent Libby, and Chair Wright, my name is Cherell O'Driscoll, and I come tonight as a parent, and I would like to talk about agenda item number 10, administrative contracts, and ask that they go to a roll call vote. I ... also do not think that Assistant Superintendent Nicole Bolton should be renewed.

At that point, you cut her off and directed, "Hey Cherell, if you'll please keep your comments to not specific individuals, I would appreciate that." Ms. O'Driscoll did not provide the rest of her prepared remarks on that subject based on this admonition.

²¹ The recording of the May 11, 2026 meeting, the public comment portion of which begins around the 1:07:51 mark, can be found here: <https://youtu.be/ulTM0gz1dq0?t=4071>. The Board's agenda and minutes for that meeting are available here: <https://tinyurl.com/5e9pn8z3>.

She then pivoted to ask about the written public comments submitted by other parents in advance of that night’s meeting—two of which were redacted in part²²—that mentioned the blocking of emails by the District. She concluded:

[A]s an invested member of the community, I would also like to know how this will be handled. You all are elected officials who we voted on and we want to be able to reach out ... to you with confidence. This seems like a huge violation and I would like to see full transparency, the public updated ... if our district has a filtering policy and if we are really filtering emails and why this is being allowed. Again, I ask who’s in charge because the waters seem to be a bit muddy.

July 15, 2026 Written Public Comment

Prior to the school board meeting on July 15, 2026, Ms. O’Driscoll submitted another written public comment to the Board, this time without omission from the written public comment records included in the meeting materials, and without redaction. The written public comments from the July 15th meeting are appended as Attachment 7.

Critically, Ms. O’Driscoll again named a specific, individual school employee—District CFO Matthew Gonzales—and praised his performance:

I want to start by first saying a huge thank you to the districts CFO Matthew Gonzels and putting the budget slide show together. This is by far the most educated I have felt after reading what we are doing with the budget, and he is super organized and has a sense of humor. Which I appreciate.

Id. at 4. She went on to ask several questions about specific slides in the presentation. *Id.*

Like previous comments, this comment “had some personnel identification” and “regard[ed] the performance ... of [an] individual district employee[,]” and it could be used for future “evaluative consideration” by the District. The difference between this and the redacted and curtailed comments? Her viewpoint. And that’s unconstitutional.

The District has engaged in unconstitutional viewpoint discrimination.

The facts outlined above illustrate that in the context of both written and in-person public comments, Ms. O’Driscoll’s constitutional rights were violated when she sought to critique

²² The partial—not complete—redaction of two other parents’ comments illustrates additional inconsistencies in the application of Policy KD. *See* <https://tinyurl.com/48uhdk2e>. Prior comments, including Ms. O’Driscoll’s comment for the April 13, 2026 meeting, were omitted and/or redacted in their entirety, regardless of whether certain portions did not refer to specific individuals. *Compare* Attachment 3 *with* Attachment 5. *See also supra* p.4–5.

certain District employees before the Board in conjunction with the renewal or nonrenewal of their contracts, while the District allowed her to offer similar positive comments regarding the performance of other District employees.

Federal Viewpoint Discrimination

Under established First Amendment doctrine, the Constitution protects public comment periods at school board meetings. Even if viewed as “a limited public forum,”²³ a school board is only permitted to impose reasonable *viewpoint-neutral* restrictions on the time, place, and manner of speech. *See, e.g., Christian Legal Soc’y Ch.*, 561 U.S. at 679. But it cannot restrict speech based on the viewpoint of the speech. *Utah Pol. Watch, Inc. v. Musselman*, 179 F.4th 1241, 1255 (10th Cir. 2026). It is a bedrock constitutional principle that the government cannot restrict speech just because the ideas may be “offensive” or “disagreeable.” *See Matal v. Tam*, 582 U.S. 218, 244 (2017); *Street v. New York*, 394 U.S. 576, 592 (1969) (“It is firmly settled that under our Constitution the public expression of ideas may not be prohibited merely because the ideas are themselves offensive to some of their hearers”). In other words, the Board cannot constitutionally stop a speaker because the Board disagrees with the viewpoint expressed by the speaker. *See White v. City of Norwalk*, 900 F.2d 1421, 1425 (9th Cir. 1990); *Rosenberger v. Rector & Visitors of Univ. of Va.*, 515 U.S. 819, 829 (1995) (“The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction.”).

Federal appellate courts that have addressed the issue of School Board prohibitions on negative or critical speech directed at public officials or employees have determined that such policies violate the First Amendment. For example, in *Ison v. Madison Local School District Board of Education*, the Sixth Circuit held that a school board policy prohibiting speech “personally directed” at school board members that was “antagonistic” or “abusive” was viewpoint discrimination because it prohibited speech purely “because it opposes, or offends, the Board or members of the public,” which “plainly fit in the ‘broad’ scope of impermissible viewpoint discrimination.” 3 F.4th 887, 894–95 (6th Cir. 2021).

More recently, expanding upon *Ison*, the Sixth Circuit also found that a school board engaged in viewpoint discrimination where a speaker during public comment was cut off after

²³ In the Tenth Circuit, the public comment portions of school board meetings might, at least in some circumstances, be considered a designated public forum, rather than a limited public forum. *See Mesa v. White*, 197 F.3d 1041, 1044–45 (10th Cir. 1999) (noting undisputed determination that a county commission meeting opened to the public for comment was a designated public forum). *See generally Christian Legal Soc’y Ch. of the Univ. of Cal., Hastings Coll. of Law v. Martinez*, 561 U.S. 661, 679 n.11 (2010) (distinguishing between traditional, designated, and limited public forums). Neither the District Court nor the Tenth Circuit in *Pollak* scrutinized this potential distinction because the parties there agreed that the meeting at issue in that case was a limited public forum. *See Pollak v. Wilson*, No. 22-8017, 2022 WL 17958787 at *7 (10th Cir. Dec. 27, 2022); *Pollak v. Wilson*, No. 22-CV-49-ABJ, 2024 WL 5164934 at *4 (D. Wyo. Oct. 25, 2024).

describing the board as “failing” and using “cowardice” to describe the actions of the superintendent. *Boddy v. Grech*, 178 F.4th 264, 272 (6th Cir. 2026). The court made clear that such speech is “protected by the First Amendment, even in a limited public forum.” *Id.* The court noted that “the use of ‘cowardice’ to describe the superintendent’s actions *was related to his performance in his public facing role*,” and reiterated that “[f]reedom to criticize public officials and expose their wrongdoing is at the core of First Amendment values.” *Id.* at 274 (emphasis added, citation omitted).

Relatedly, the Eleventh Circuit in *Moms for Liberty* explained that a school board may not “effectively require[] ‘happy-talk,’ permitting a speaker to give positive or benign comments, but not negative or even challenging ones.” 118 F.4th at 1334 (citing *Matal*, *supra*). The court provided further guidance with respect to policies, especially ill-defined ones, that prohibit personally identifying or personally directed comments, particularly when that prohibition operates more like a policy that prevents criticism of board members, staff, and other members of the public. The court explained that a “policy against personally directed speech [does] not advance the goals that the Board claims it serves” instead “it actively obstructs *a core purpose of the Board’s meetings—educating the Board and the community about community members’ concerns*.” *Id.* at 1337 (emphasis added). That is because “[i]f a parent has a grievance about, say, a math teacher’s teaching style, it would be challenging to adequately explain the problem without referring to that math teacher.” *Id.* The court held that “[s]uch communications are the heart of a school board’s business, and the ill-defined and inconsistently enforced policy barring personally directed speech fundamentally impedes it without any coherent justification.” *Id.*

The policy at issue here raises similar concerns, especially to the extent that it is applied against comments that “ha[ve] some personnel identification” or criticize, rather than praise, the performance of specific public officials or employees. In fact, this case overlaps with the facts of *Moms for Liberty* in another sense: the policy’s application and enforcement were “unpredictable and haphazard.” *Id.* at 1337. “Sometimes just mentioning someone’s name was enough to provoke interruption, but other times using a name was met with no resistance.” *Id.* at 1336. Moreover, “the policy’s contours are undefined and the record of enforcement only casts a shadow over the school board meetings’ purposes.” *Id.* at 1337. The *Moms for Liberty* court treated such inconsistent and arbitrary enforcement as rendering the policy at issue unreasonable—and thus *facially* unconstitutional—because “permitting certain speech on some days and not on others without any credible explanation of what may have changed is the essence of arbitrary, capricious, and haphazard—and therefore unreasonable—decisionmaking.” *Id.* at 1332–33, 1336 (cleaned up).

Other federal cases suggest that the District has not only engaged in viewpoint discrimination, but that Policy KD may also be unconstitutionally vague and/or overbroad. For example, in *Marshall v. Amuso*, the court found that a policy targeting “personally directed” and other critical speech was both vague *and* overbroad because it provided no “objective, workable standards to guide the presiding officer’s exercise of discretion,” allowed “little more than the presiding officer’s own views to shape” public comment (which “openly invites viewpoint discrimination”), “lacked structure,” “contained no limiting language,” and “reached too much protected speech.” 571 F.Supp.3d 412, 424–26 (E.D. Pa. 2021) (cleaned up). The court made

clear: **“An opinion that a school employee is incompetent in performing school duties or violating the law governing the performance of the employee’s duties is in fact relevant to the purpose of the limited public forum and presents a viewpoint against which the School Board may not discriminate.”** *Id.* at 426 (emphasis added). It’s hard to see how the added prohibition here against “[c]omments regarding the *performance* or employment of individual district employees” is likewise not vague and overbroad. Almost any public comment on a matter of school business will implicate employee performance in some form.

Pollak v. Wilson

Of course, the Tenth Circuit and the Federal District Court for the District of Wyoming also recently dealt with analogous circumstances in *Pollak*. There, Sheridan County School District #2 policy stated that “[p]ersonnel matters are not appropriate topics to be discussed at regular board meetings,” and would be confined to executive session. 2022 WL 17958787 at *2. Speakers were not permitted “to participate in gossip, make defamatory remarks, [or] use abusive or vulgar language.” *Id.* “[P]rerogative to discontinue any presentation which violates any of the public participation guidelines,” including the prohibition on discussing personnel matters, was given to the board chairperson. *Id.*

Board Chair Susan Wilson interpreted that policy to prohibit “talk about personnel *unless it’s favorable things*,” because “[w]e always like to hear those.” *Id.* (emphasis added). Harry Pollak mentioned the Superintendent’s name at a meeting, and the Chair “seized on the mention of Stults’ name as making a comment on a personnel matter, proceeded to shut down Mr. Pollak’s comment, and had Mr. Pollak removed from the premises.” *Id.* at 3 (cleaned up). Pollak sued, asserting “that the meeting was a limited public forum and that the Board restricted speech based on subject and viewpoint ... in accordance with existing policies ... or ... new policy as applied to him.” *Id.* (cleaned up). He sought declaratory and injunctive relief, damages, and fees, moving for a preliminary injunction a few weeks after filing the complaint. *Id.*

On remand, the District Court held that even though the policy was facially constitutional, the policy was unconstitutionally enforced when the Board chair applied it to stop Mr. Pollak’s critical comment about the superintendent while allowing other speakers to make positive comments about specific district employees. 2024 WL 5164934 at *5. Relatedly, “the prohibition on mentioning any individual staffer’s name” was unconstitutional because “[s]uch a broad rule does not serve the purpose of the [b]oard meeting and it leaves open the possibility of arbitrary enforcement ... particularly ... as applied to individuals who wish to refer to or criticize public officials during the meetings. *Id.* at *9. That interpretation was “unreasonable,” and it “exclude[d] much more speech than the government has a legitimate interest in excluding.” *Id.* at **9–10.

The court also found the policy’s interpretation unreasonable for another reason: it was “enforced unpredictably” and arbitrarily. *Id.* at *11. “While a policy restricting the discussion of personnel matters is not inherently unclear, this Board’s radically different interpretations of what counts as a personnel matter, arbitrarily dependent on the Board Chair, do not provide potential speakers with an objective, workable standard.” *Id.* That’s because “speakers simply

have no way of knowing, on any given day, whether their comments will be in violation of the [policy] or not.” *Id.* “Such variability in enforcement carries with it the opportunity for abuse, and therefore violates the First Amendment.” *Id.* (cleaned up). The court permanently enjoined the district from enforcing the unconstitutional interpretation of the policy, meaning “the enforcement of it against speakers who merely mention district staffers.” *Id.*

Not only did the court in *Pollak* permanently enjoin the unconstitutional interpretation of the policy, but the court also declared that “it was enforced discriminatorily against Mr. Pollak to exclude [certain of] his comments.” *Id.* at *12. The court also rejected Ms. Wilson’s assertion of qualified immunity because “the law was clearly established ... that the government may not regulate speech based on the message it conveys.” *Id.* (cleaned up). **“Enforcing a policy against one individual because his comments were ‘critical’ but not enforcing it against others whose viewpoints were positive constitutes viewpoint discrimination, which is a violation of the First Amendment.”** *Id.* at *13 (emphasis added). The court awarded nominal damages, costs, and attorney fees. *Id.*

The same constitutional defects present in *Pollak* are present here. The District refused to publish Ms. O’Driscoll’s written criticism of Assistant Superintendent Bolton and curtailed her in-person criticism of Ms. Bolton during consideration of administrator contracts, yet it allowed Ms. O’Driscoll to name and praise Mr. Lott, Ms. Hueller, and CFO Gonzales for their official performance in comparable public-comment settings. Whatever legitimate interest the District has in protecting genuinely confidential personnel information or redirecting formal employment complaints, that interest cannot justify applying Policy KD only when a speaker’s assessment of an identified employee is unfavorable. That is precisely the selective, viewpoint-based enforcement *Pollak* found unconstitutional.

Well-established Law and Resulting Costs

The cases discussed above, applying longstanding²⁴ constitutional principles against the suppression of speech that a government finds “disagreeable,” demonstrate the problematic nature of the District’s policy, specifically as applied to Ms. O’Driscoll. The policy discriminates based on viewpoint and is, therefore, unconstitutional.

Such a policy therefore leaves the district open to litigation and resulting costs. For example, after securing a victory at the Eleventh Circuit, the Moms for Liberty group in Brevard

²⁴ In May of this year, the Tenth Circuit upheld a denial of qualified immunity for a school official that refused to read a written public comment submitted for that purpose in advance of a board meeting, because “the prohibition against viewpoint discrimination in a limited public forum was clearly established.” *Sanchez v. Gallagher*, No. 25-2072, 2026 WL 1397275 *4 (10th Cir. May 19, 2026) (relying on *Mesa, supra*, which had also partially involved an assertion of qualified immunity). *Accord Schmidt v. Huff*, No. 25-CV-2081-EFM-GEB, 2025 WL 2374153 at *6 (D. Kansas Aug. 14, 2025) (denying qualified immunity to school board member who violated public commenter’s First Amendment rights, because “[v]iewpoint discrimination has been a clearly established constitutional violation in the Tenth Circuit for decades”).

County reached a settlement with Brevard Public Schools which required the school district to pay nearly \$600,000 in attorney fees, costs, and expenses.²⁵

In *Gilmore v. Beveridge*, a public commenter prevailed on her viewpoint discrimination claim at trial where she was cut off and removed from a school board meeting after criticizing a board member and his relative by name. No. 2:22-cv-02032-HLT, 2023 WL 4104579 (D. Kansas June 21, 2023). Among other relief, she was awarded more than \$250,000 in attorney fees. 2024 WL 1461813 (April 4, 2024). The court in that case wrote: “The government may not pick and choose what viewpoints people are allowed to express. And **governmental actors—including members of school boards—may not pick and choose what viewpoints they must listen to during the public comment portion.**” 2023 WL 4104579 at *5.

And in *Pollak*, the plaintiff was ultimately awarded fees and costs exceeding \$150,000.²⁶

Wyoming Constitutional Protections

In addition to the First Amendment concerns, this policy raises questions under Article I, Sections 20 and 21 of the Wyoming Constitution, which independently protect the right of “[e]very person [to] freely speak, write and publish on all subjects, being responsible for the abuse of that right,” the right to “petition,” and the rights “peaceably to assemble to consult for the common good, and to make known their opinions.”

These provisions provide additional and, in some cases, perhaps even broader protection for fundamental rights than the First Amendment. *See, e.g., Ramirez v. State*, 532 P.3d 230, 235 ¶ 16 & n.4 (Wyo. 2023) (reaffirming Wyoming’s adoption of Washington’s *Gunwall* factors, which are “‘non-exclusive neutral criteria’ relevant to determining whether the Wyoming Constitution extends broader rights to Wyoming citizens than the United States Constitution,” including “(1) the textual language; (2) the differences in the texts; (3) constitutional history; (4) preexisting state law; (5) structural differences; and (6) matters of particular state or local concern” (citations omitted)). *Cf. Andrews v. State*, 40 P.3d 708, 715 ¶ 31 (Wyo. 2002) (reaffirming “that the Wyoming Constitution offers broader protection than the United States Constitution” in the context of searches and seizures).

Because Policy KD, at least as applied by the Board, violates clear federal precedents arising from analogous circumstances, it also violates any analogous or broader protections for free speech, etc. contained in the Wyoming Constitution.

If the Board does not revise Policy KD, Ms. O’Driscoll may be forced to seek injunctive and other judicial relief to vindicate her constitutional rights.

The end result of Policy KD is that public comments *praising* public employees have been *allowed*, but public comments *criticizing* other public employees in the same contexts and

²⁵ <https://www.ifs.org/wp-content/uploads/2025/10/Brevard-Settlement-Agreement.pdf>.

²⁶ <https://www.ifs.org/wp-content/uploads/2025/04/098-Order-awarding-fees.pdf>.

mediums were *censored*. That's textbook viewpoint discrimination. The fact that it's occurred in both the written public comment setting and the in-person public comment setting proves that such viewpoint discrimination is not an isolated occurrence. Even more troubling, **the Board repeatedly assured the public that this kind of viewpoint discrimination would not occur under the policy changes.**

Ms. O'Driscoll had every right to speak in public—both approvingly and adversely—to the Board during the designated public comment period on agendized items of Board business, including regarding the performance and employment of public administrators and staff whose contracts were up for renewal. She also has a constitutional right to communicate with Board members in writing on the same issues—and when she does so through the designated portal for written public comments, they are entitled to at least the same protections as in-person public comments.

Public employees ultimately work for the taxpaying public. Public accountability is especially important in the public-school setting because of parents' fundamental right to control and direct their children's education. That accountability, along with basic notions of transparency and open government, have been severely hindered by the Policy and the Board's application of it.

To prevent ongoing and potential future violations on the constitutional rights of Ms. O'Driscoll and other members of the public, we respectfully request the Board amend Policy KD to remove the content-based restrictions that result in viewpoint discrimination. The Board must also immediately cease applying this policy against comments that criticize public officials and employees by name.

We appreciate your prompt and thoughtful consideration of these matters and look forward to receiving confirmation that the Board has taken actions to bring its public comment policy into compliance with the U.S. and Wyoming Constitutions. Our staff is available at any time to discuss the constitutional issues raised by this policy.

Should you have any questions regarding this matter, please feel free to reach me at pjackson@goldwaterinstitute.org.

Sincerely,



Parker Jackson
Staff Attorney
Scharf-Norton Center for
Constitutional Litigation at the
Goldwater Institute

Chairman Cole Wright
August 5, 2026
Page 16 of 16

cc (via email only):

Danielle Schumacher
Vice-Chairman
schumacherd@sw1.k12.wy.us

Josh Sorensen
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Superintendent
libbyj@sw1.k12.wy.us

Tiffany Gunter
Director of Human Resources
guntert@sw1.k12.wy.us

Book	Policy Manual
Section	Section B - School Board Governance and Operations
Title	Public Participation at Board Meetings
Code	BDDH (Also KD)
Status	Active
Adopted	July 11, 1977
Revised	September 8, 2025

PUBLIC PARTICIPATION AT BOARD MEETINGS

All regular and special meetings of the Board shall be open to the public except for executive sessions which may be convened as provided for by law. Because the Board desires to hear the viewpoints of citizens throughout the district, it shall offer suitable time at all meetings for citizens to be heard.

Recognizing its responsibility for proper governance of the schools and therefore the need to conduct its business in an orderly and efficient manner, the Board shall schedule a period during each meeting for public participation. At times, it shall set a time limit on the length of this period and/or a time limit for individual speakers. **The Board shall also set reasonable limits on content for public comment and discussion.**

Speakers may make comments on school operations, school programs or other matters that relate directly to the school district. The Chairman shall limit public comment to matters related to the Board's business, including policy, programming, operations, and other issues of current relevance, such as items on the agenda or follow-up to prior Board discussions. To ensure an orderly and productive meeting, the Board Chairman may ask for clarification or redirect comments that are personal in nature or fall outside the scope of Board business.

Comments regarding the performance or employment of individual district employees will not be permitted. Matters involving confidential personnel issues such as appointment, evaluation, reassignment, discipline, or dismissal will be redirected by the Board Chairman to the appropriate process, such as those outlined in Policy KLD (*Complaints about School Personnel*) or Policy GBM (*Staff*

Complaints and Grievances).

Comments regarding matters involving individual students will also not be permitted. Concerns relating to individual students will be referred to the appropriate internal, administrative, or complaint process set forth in policy.

To achieve orderly meetings, the Board may regulate the conduct of the public, and if any meeting is willfully disrupted by a person or group of persons, the Board may order the removal of such person or group from the meeting room and continue in session, or it may recess the meeting and reconvene at another location.

The Board Chairman shall be responsible for recognizing all speakers, who shall properly identify themselves; for maintaining proper order; and for adherence to any **content** or time limits set. Questions asked by the public shall, when possible, be answered immediately by the chairman or referred to staff members present for reply; questions requiring investigation shall be referred to the Board or administrative staff for consideration and later response.

Members of the public will not be recognized by the chairman as the Board conducts its official business except when the Board schedules in advance an interim public discussion period on a particular agenda item.

Legal

[W.S. 16-4-401, etc. seq. \(Wyoming's Public Meetings Law\)](#)

[20 U.S.C. 1232g; 34 C.F.R. Part 99 \(Family Educational Rights and Privacy Act\)](#)

Wyoming Education Policies Reference Manual, code BD

Cross References

[BDDC - Agenda Preparation and Dissemination](#)

[KD - Public Participation at Board Meetings](#)

[KLD - Public Complaints Made To The Board Of Trustees Regarding School Personnel](#)

[KLD-E – Complaints Made To The Board Of Trustees Regarding School Personnel \(Form\)](#)

[GBM – Staff Complaints and Grievances](#)

[JO- Student Records](#)

[GBL – Personnel Records](#)



Policy: KD

Section: Section K - School Community Relations

PUBLIC PARTICIPATION AT BOARD MEETINGS

All regular and special meetings of the Board shall be open to the public except for executive sessions which may be convened as provided for by law. Because the Board desires to hear the viewpoints of citizens throughout the district, it shall offer suitable time at all meetings for citizens to be heard.

Recognizing its responsibility for proper governance of the schools and therefore the need to conduct its business in an orderly and efficient manner, the Board shall schedule a period during each meeting for public participation. At times, it shall set a time limit on the length of this period and/or a time limit for individual speakers. The Board shall also set reasonable limits on content for public comment and discussion.

Speakers may make comments on school operations, school programs or other matters that relate directly to the school district. The Chairman shall limit public comment to matters related to the Board's business, including policy, programming, operations, and other issues of current relevance, such as items on the agenda or follow-up to prior Board discussions. To ensure an orderly and productive meeting, the Board Chairman may ask for clarification or redirect comments that are personal in nature or fall outside the scope of Board business.

Comments regarding the performance or employment of individual district employees will not be permitted. Matters involving confidential personnel issues such as appointment, evaluation, reassignment, discipline, or dismissal will be redirected by the Board Chairman to the appropriate process, such as those outlined in Policy KLD (*Complaints about School Personnel*) or Policy GBM (*Staff Complaints and Grievances*).

Comments regarding matters involving individual students will also not be permitted. Concerns relating to individual students will be referred to the appropriate internal, administrative, or complaint process set forth in policy.

To achieve orderly meetings, the Board may regulate the conduct of the public, and if any meeting is willfully disrupted by a person or group of persons, the Board may order the removal of such person or group from the meeting room and continue in session, or it may recess the meeting and reconvene at another location.

The Board Chairman shall be responsible for recognizing all speakers, who shall properly identify themselves; for maintaining proper order; and for adherence to any content or time limits set. Questions asked by the public shall, when possible, be answered immediately by the chairman or referred to staff members present for reply; questions requiring investigation shall be referred to the Board or administrative staff for consideration and later response.

Members of the public will not be recognized by the chairman as the Board conducts its official business except when the Board schedules in advance an interim public discussion period on a particular agenda item.

Legal	W.S. 16-4-401, etc. seq. (Wyoming's Public Meetings Law) 20 U.S.C. 1232g; 34 C.F.R. Part 99 (Family Educational Rights and Privacy Act) Wyoming Education Policies Reference Manual, code BD
Cross References	BDDC - Agenda Preparation and Dissemination KD - Public Participation at Board Meetings KLD - Public Complaints Made To The Board Of Trustees Regarding School Personnel KLD-E – Complaints Made To The Board Of Trustees Regarding School Personnel (Form) GBM – Staff Complaints and Grievances JO- Student Records GBL – Personnel Records



SWEETWATER COUNTY SCHOOL DISTRICT #1

Sweetwater County School District #1
Board Meeting
April 13, 2026
Public Comment

Name Rachel Seppie

Entity Parent

Public Comment

I am asking for clarification on the role and or/contract our district currently holds with KSB Law. KSB Law has been presented as a third party independent contractor used by the district when a neutral party is needed for investigative purposes. It has come to my attention that the District is regularly hiring KSB Law for other legal representation as well. I was recently served papers from district Court showing KSB Law was representing the district's interests in civil proceedings against me. In addition when my husband FOIA requested the results of a retaliation investigation he was involved in he was denied access to these records and the stated reason was "attorney client privilege". I would like to know how KSB Law can in fact be a neutral third party but can also be regularly hired by the district to represent their interests in legal matters. It makes person question the legitimacy and fairness of investigations conducted when the district is using their personal counsel. Clarification on the use of KSB Law as well as the definition of what a neutral 3rd party investigator is considered by the board. Also who makes the selection of the 3rd party investigator in instances where neutrality is required.

Thank you for attending today's Board meeting and for your continued engagement with the District. As we move into the public comment portion, we kindly ask that each speaker limit their comments to one opportunity. If you have already submitted written comments, we kindly request that you refrain from addressing the Board again on the same topic. All written comments will be posted in the "Written Public Comment" section of the agenda for review by all attendees, including Trustees.

Speakers may comment on District policies, operations, and programs, or other matters that relate directly to the school district and the Board's business. We ask that issues that are not of general importance to the broader community or relevant to the Board's governance of the District should be addressed through appropriate administrative channels.

Comments regarding the performance or employment of individual district employees are not permitted during public comment. Formal complaints about school personnel may be submitted to the Board of Trustees in accordance with Policy KLD and using the form in KLD-E. Staff complaints or grievances should follow the procedures outlined in Policy GBM.

Comments regarding individual students will not be permitted. The District is legally prohibited from discussing confidential student matters in a public forum.

If you are unable to finish your comments within the allotted 3 minutes, we invite you to submit the remainder in writing to the Superintendent or Board Chair. These submissions will be shared with all board members after the meeting and will receive a response in the same manner as public comments.



SWEETWATER COUNTY SCHOOL DISTRICT #1

Sweetwater County School District #1
Board Meeting
April 13, 2026
Public Comment

Name Cherell O'Driscoll

Entity Parent

Public Comment

This public comment has been redacted because it requests disciplinary action regarding an individual employee. Concerns involving confidential personnel matters are redirected to the appropriate channels for review and follow-up.

Name Rachel Seppie

Entity Parent

Public Comment

I am asking for clarification on the role and or/contract our district currently holds with KSB Law. KSB Law has been presented as a third party independent contractor used by the district when a neutral party is needed for investigative purposes. It has come to my attention that the District is regularly hiring KSB Law for other legal representation as well. I was recently served papers from district Court showing KSB Law was representing the district's interests in civil proceedings against me. In addition when my husband FOIA requested the results of a retaliation investigation he was involved in he was denied access to these records and the stated reason was "attorney client privilege". I would like to know how KSB Law can in fact be a neutral third party but can also be regularly hired by the district to represent their interests in legal matters. It makes person question the legitimacy and fairness of investigations conducted when the district is using their personal counsel. Clarification on the use of KSB Law as well as the definition of what a neutral 3rd party investigator is considered by the board. Also who makes the selection of the 3rd party investigator in instances where neutrality is required.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: **Tiffany Gunter** <guntert@sw1.k12.wy.us>

Date: Mon, May 4, 2026, 9:47 PM

Subject: Re: Written Public Comment

To: Cherell O'Driscoll <cmodriscoll14@gmail.com>, Joseph Libby <libbyj@sw1.k12.wy.us>

Hi Cherell,

Thank you for your response and your willingness to share additional information.

As a reminder, public comment is intended for matters related to District policies, operations, programs, and other items within the Board's governance. Topics that are more appropriately addressed through administrative channels should be directed accordingly. Consistent with Policy KD, comments regarding the performance or employment of individual District employees will not be permitted in a public setting. Matters involving confidential personnel issues, including appointment, evaluation, reassignment, discipline, or dismissal, will be redirected to the appropriate process.

For clarity, your written public comment submitted last month was not included in the public posting because it called for evaluative consideration by the Board regarding the performance and employment of an individual employee. Consistent with Policy KD, it was instead provided directly to the Trustees for appropriate handling. Please be assured it was taken seriously, reviewed appropriately by the District, and followed up with you in the email sent on April 17, 2026. The same standard will apply for comments you submit or make at the May Board meeting.

Additionally, please consider that the Superintendent is responsible for making recommendations regarding contract renewals and that process relies on information being reviewed in advance. If information is first presented during public comment, the District is not in a position to investigate or verify those concerns at that time and the

Board cannot take action based on unreviewed information presented publicly. If you would like your concerns considered as part of this process, I encourage you to provide any supporting information in advance so it can be reviewed appropriately.

We appreciate your cooperation and your continued engagement.

Thanks,

Tiff

Tiffany Gunter

Director of Human Resources

Sweetwater County School District #1

P.O. Box 1089, Rock Springs, WY 82902

Phone: (307) 352-3400 x1258

Email: guntert@sw1.k12.wy.us

Web: www.sweetwater1.org

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On Tue, Apr 28, 2026 at 3:36 PM Cherell O'Driscoll <cmodriscoll14@gmail.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

Yes, I will gladly share them at the next board meeting in May.

Since the administrative contract portion was tabled, I feel it would be better presented to the board so they have the information directly from me.

Thank you for your time.

Cherell

On Fri, Apr 17, 2026, 2:44 PM Tiffany Gunter <guntert@sw1.k12.wy.us> wrote:

Hi Cherell,

I would like to follow up on your written public comment you submitted for the April 13, 2026 Board meeting. The District takes

concerns of this nature seriously and is committed to reviewing all allegations in a fair, thorough, and impartial manner, consistent with District policies. To ensure we are able to appropriately assess the concerns you have raised, we respectfully request that you provide firsthand knowledge or direct experience and documentation that may assist in our review. This may include your specific incidents, relevant dates, individuals involved and any supporting materials. In particular, we are seeking additional detail related to your allegations regarding the handling of interactions with parents, teachers, and students, as well as your statement concerning the creation of an unfriendly and hostile environment.

Providing this information will assist the District in conducting a comprehensive and informed review.

I have provided your written public comment for reference:

I understand at tonight's meeting the board will be considering the continued employment of various staff. I would like to see the dismissal of Assistant Superintendent Nicole Bolton in her current position. She should face disciplinary actions for mishandling of interactions with parents, teachers and students. She creates an unfriendly and hostile environment. I do not know the inner workings of her contracts and tenure, but if she is unable to be removed from the district completely, she could at least be reassigned. Thank you for your time.

Please feel free to contact me if you have any questions or if you would like to discuss this further.

Thanks,
Tiff

Tiffany Gunter
Director of Human Resources

Sweetwater County School District #1
P.O. Box 1089, Rock Springs, WY 82902
Phone: (307) 352-3400 x1258
Email: guntert@sw1.k12.wy.us
Web: www.sweetwater1.org

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This e-mail message, which is from Sweetwater County School District Number one, State of Wyoming, contains CONFIDENTIAL and PRIVILEGED INFORMATION. In addition, the information may be protected by applicable Federal and State laws including, without limitation, the provisions of the Family Educational Rights and Privacy Act (FERPA) which prohibits unauthorized disclosures.

If you have received this communication in error (you are not the addressee or authorized receiver for the addressee), you may not use, copy, or disclose the message or any information contained in the message. If you have received this e-mail in error, please advise the sender immediately by reply e-mail and delete this message.

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SWEETWATER COUNTY SCHOOL DISTRICT #1

Sweetwater County School District #1
Board Meeting
Public Hearing - Budget
July 15, 2026
Public Comment

Name	Kari Cochran
Entity	Parent
Public Comment	
	I'd like some clarification regarding Driver's Education in Sweetwater County School District No. 1. Over the last several years, Driver's Education has continued to appear throughout district budget presentations. It is listed as a BOCES program, appears in Fund 20 Special Revenue, and in this year's budget presentation it is also included in Fund 50 Enterprise Funds. However, the Rock Springs High School, the principal informed people that Driver's Education is not currently offered. That raises several questions. If Driver's Education is no longer available, when did the program end? Why did it end ? Why was there no communication with the parents , students or community? Why does it continue to appear throughout district budget documents? And grant presentations each year? Is funding still being allocated to Driver's Education? If funding exists, where is it being spent? If funding does not exist, why is it still listed in presentations made to the Board and the public each year ? If the district intends to bring the program back, what is the timeline? If there are no plans to restore it, why hasn't that been clearly communicated to parents, students, staff, and the community? I understand the previous Driver's Education instructor retired, and I appreciate his years of service. However, I have never seen the district advertise for a replacement or publicly discuss whether the program would continue. Many of our students need a driver's license to obtain employment, participate in work-based learning, enroll in concurrent programs, or simply become independent. In a rural community like ours, Driver's Education is not just another elective it is an important life skill. Plus it can help with students pursuing careers behind the wheel like our bus drivers or those getting a CDL. As we continue discussing district priorities and budgets, I hope we also evaluate whether our resources are being directed where they provide the greatest benefit to students. We have programs serving very small numbers of students with significant staffing, while other programs that affect hundreds of students, like Driver's Education, are unavailable. I would appreciate a clear explanation of the status of Driver's Education, the funding associated with it, and whether the district intends to restore the program. It's sad the lack

	of trust within the district and sad that we keep finding and seeing more reasons to have to ask questions . These things should be easily communicated and addressed publicly.
--	---

Name	Cherell O'Driscoll
Entity	Parent
Public Comment	
	I want to start by first saying a huge thank you to the districts CFO Mathew Gonzales and putting the budget slide show together. This is by far the most educated I have felt after reading what we are doing with the budget, and he is super organized and has a sense of humor. Which I appreciate. However, these are my thoughts. Slide 12: The presentation says Sweetwater #1 "hasn't been following" the state school accounting manual "too well." That raises obvious questions. 1. What specific requirements were not followed? 2. How long has this been happening? 3. Was it limited to fund numbering, or did it affect how revenues and expenditures were classified and reported? 4. Did auditors or state agencies identify the problem? Slide 22: The presentation explains that the district may receive state funding for more teachers than it actually employs. The example given is funding for 280 teachers while only 250 are hired. That may be allowed under Wyoming's funding model, but taxpayers still deserve to know... 1. How many positions are funded? 2. How many are filled? 3. How many remain vacant? 4. Where the money associated with unfilled positions is being spent? Slides 42-43: The presentation discusses transferring money above the general-fund reserve limit into capital-project funds rather than allowing it to be returned to the state. 1. How much money has been transferred this way? 2. What specific projects or documented needs support those transfers? 3. How much of the proposed capital-project budget came from prior general-fund transfers? None of these questions automatically proves wrongdoing. They do show why the public deserves a clear explanation before the budget is approved. The district is proposing approximately \$93.5 million in general-fund spending and \$35.6 million in capital-project spending. That is enough money to justify more than vague explanations. I would ask that these questions asked above please be updated on the communication and correspondence page, the district has said they will use to update the public. OR Email me at the above email listed so, I can make sure they are answered to me since I am the person asking questions. I do not appreciate the May meeting comment where chair Wright said I was "purposely ignored" when asking a follow up about policy DJF that I asked in Feb. (That is now back on this months agenda going through legal, item #15 on the agenda) So I am going to hold your feet to the fire about getting answers back. Thank you.