



## **WYOMING LEGISLATURE Select Investigative Committee**

### **Notice of Hearing Procedures**

**January 6 – 8, 2014**

This notice of hearing procedures shall regulate the hearing process for Special Investigative Committee Hearings scheduled for January 6, 7 & 8, 2014, and for such other hearings as may, from time to time, be held on the matters coming before the Committee.

1. The purpose of the hearing will be to take testimony regarding issues related to budgetary and administrative activities within the Wyoming Department of Education, including issues identified by the Governor's Inquiry Team Report Regarding the Wyoming Department of Education, dated June 13, 2013, and subsequent reports released or resulting from that inquiry.
2. All testimony of the witnesses shall be under oath, administered by the Chairman as follows:

"Do you solemnly swear or affirm, under the penalty of perjury, that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth."

3. All witnesses who testify shall receive the following advisement:

"The testimony you are about to give will be included in the Committee's investigation into issues relating to budgetary and administrative activities within the Wyoming Department of Education ("WDE") and the Office of Superintendent of Public Instruction ("OSPI"). The information you provide may not remain confidential and could be used in future legislative, executive or judicial branch proceedings. You have the right to appear before this body with legal counsel. You also have the right to assert any privilege against answering a question recognized by the United States Constitution and the Constitution of the State of Wyoming."

4. Initial questioning of the witness shall be conducted by counsel for the Special Investigative Committee. At the conclusion of the questions by counsel, individual committee members may ask questions of the witness. Designated representatives of the WDE and OSPI may submit written potential questions for the witnesses to be called before the committee. The chairman of the committee shall determine whether to ask the submitted questions at the conclusion of questioning by counsel and the Committee. If the chairman determines not to ask questions submitted by WDE or OSPI, two (2) or more members of the committee, upon motion duly made, shall cause the questions to be asked of the witness. WDE and OSPI may submit written questions for witnesses to the Committee on or before 8:00 a.m. January 6, 2014. Submitted questions may be supplemented at the conclusion of witness questioning by counsel and Committee members.
5. The hearing will be reported by certified court reporters. The hearing before the committee will be conducted in such a fashion that the court reporters will be able to accurately report the hearing.
6. No public comment shall be taken at the hearing. The purpose of the hearing is to receive testimony from subpoenaed witnesses.
7. At the conclusion of the testimony and questioning of all witnesses called by the committee or any subcommittee, any interested party may submit a list of potential additional witnesses. The list shall include a summary of the expected testimony of each witness. Witnesses on the list may be permitted to testify before the committee or subcommittee by the chairman or by a majority vote of the committee or subcommittee.
8. The Chairman of the Committee shall be responsible for keeping order at the hearing, and for insuring the hearing proceeds in a timely fashion. The Committee Chairman shall rule on any motions, objections or procedural questions. Those questions which are repetitive or irrelevant may be disallowed by the Chairman. A ruling of the chairman may be overturned by a majority vote of the Committee.
9. The Wyoming Rules of Evidence do not apply to hearings before the Committee. Any evidence which is otherwise credible shall be accepted by the committee. No evidence which is otherwise credible shall be excluded because its introduction fails to comply with the technical rules of evidence.
10. The Committee may adjourn into executive session to receive confidential information.
11. Any ruling of the chair may be reversed by a majority vote of the committee.
12. This hearing is investigative in nature. It is not an adversarial proceeding.