

SENATE FILE NO. SF0008

State education accountability and assessment.

Sponsored by: Select Committee on Statewide Education
Accountability

A BILL

for

1 AN ACT relating to education accountability; conforming law
2 as specified to Powers v. State, 2014 WY 15, 318 P.3d 300
3 and Powers v. State, No. 180-673 (1st Jud. Dist. Ct. Apr.
4 18, 2014); specifying implementation and development of
5 education accountability addressing teacher and school
6 leader evaluation; providing for phase I school
7 accountability implementation and refinement; providing for
8 alternative school accountability; prescribing oversight
9 and use of district assessment systems in state
10 accountability; modifying state criteria for high school
11 graduation; providing for continuation of select
12 accountability and advisory committees; providing for
13 technical advisory group; imposing reporting requirements;
14 providing appropriations; and providing for an effective
15 date.

1

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

3

4 **Section 1.** W.S. 21-2-202(a)(xxx) and by creating a
5 new paragraph (xxxvi), 21-2-204(f)(vi) and (vii) and
6 21-3-110(a)(xxix), as amended by 15LSO-0001 conforming
7 Wyoming Statute to Powers v. State, 2014 WY 15, 318 P.3d
8 300 and Powers v. State, No. 180-673 (1st Jud. Dist. Ct.
9 Apr. 18, 2014), are amended to read:

10

11 **21-2-202. Duties of the state superintendent.**

12

13 (a) In addition to any other duties assigned by law,
14 the state superintendent shall:

15

16 (xxx) Effective school year 2012-2013 and each
17 school year thereafter, in consultation and coordination
18 with local school districts, by rule and regulation
19 establish a program of administering a standardized,
20 curriculum based, achievement college entrance examination,
21 computer-adaptive college placement assessment and a job
22 skills assessment test selected by the state superintendent
23 to all students in the eleventh and twelfth grades

1 throughout the state in accordance with this paragraph. The
2 examinations and tests selected by the state superintendent
3 shall be administered throughout the United States and
4 shall be relied upon by institutions of higher education.
5 The college entrance examination shall at a minimum test in
6 the areas of English, reading, writing, mathematics and
7 science for all students in grade eleven (11). The jobs
8 skills assessment test shall be optional for all students
9 in grade ~~eleven (11)~~ twelve (12) and shall at a minimum
10 test in the areas of applied math, reading for information
11 and locating information. The state superintendent shall
12 pay all costs associated with administering the college
13 entrance examination, the computer-adaptive college
14 placement assessment and the jobs skills assessment test
15 and shall schedule a day during which examinations shall be
16 provided. The date for statewide administration of the
17 college entrance examination in grade eleven (11) shall be
18 ~~selected so that following receipt of scores, students may~~
19 ~~timely register for senior year classes which may be~~
20 ~~necessary to allow the student to qualify for a state~~
21 ~~provided scholarship~~ established by the state
22 superintendent in a manner that best meets the needs of
23 students and school districts. The computer adaptive

1 college placement assessment shall be optional and all
2 students in grade twelve (12) shall be provided at least
3 one (1) opportunity to take the assessment during the
4 school year. The state superintendent may enter into
5 agreements with an administrator of the college entrance
6 examination and the computer-adaptive college placement
7 assessment and an administrator of the jobs skills
8 assessment test and adopt rules as necessary to ensure
9 compliance with any requirements of an administrator, such
10 as a secure environment. Waivers may be granted for the
11 examinations and tests required by this paragraph for
12 students with disabilities in accordance with the
13 provisions of the federal No Child Left Behind Act of 2001
14 and the federal Individuals with Disabilities Education
15 Act. Alternate assessments and accommodations shall be
16 offered by the state superintendent in accordance with rule
17 and regulation;

18

19 (xxxvi) Commencing school year 2015-2016, in
20 conjunction with the school district accreditation process
21 required under W.S. 21-2-304(a)(ii) and as a component of
22 the statewide education accountability system created under
23 W.S. 21-2-204, conduct a review of each school district

1 once every five (5) years to ensure alignment of its
2 curriculum plan and assessment system with the uniform
3 state education standards promulgated by the state board,
4 and to ensure district adherence to the uniform graduation
5 standards prescribed by the state board under W.S.
6 21-2-304(a)(iii). Reviews undertaken pursuant to this
7 paragraph, together with findings, shall be reported to the
8 state board and any deficiencies determined by the review
9 shall be addressed through the statewide system of support
10 established under W.S. 21-2-204(f).

11
12 **21-2-204. Wyoming Accountability in Education Act;**
13 **statewide education accountability system created.**

14
15 (f) A progressive multi-tiered system of support,
16 intervention and consequences to assist schools shall be
17 established by the state board, and shall conform to the
18 January 2012 education accountability report as defined by
19 subsection (k) of this section. The system shall clearly
20 identify and prescribe the actions for each level of
21 support, intervention and consequence. Commencing with
22 school year 2014-2015, and each school year thereafter, the

1 state superintendent shall take action based upon system
2 results according to the following:

3
4 (vi) Schools designated as not meeting
5 expectations shall file an improvement plan in accordance
6 with paragraph (iv) of this subsection that identifies and
7 addresses all content and indicator areas where performance
8 is below target levels. In addition, the evaluation of a

9 district's student assessment system as provided by
10 paragraph (vii) of this subsection shall be undertaken in
11 that school year immediately following any school year in
12 which a school within the district has been designated as
13 not meeting expectations. The state superintendent shall

14 appoint a representative from the department in accordance
15 with paragraph (vii) of this subsection to assist in
16 drafting the improvement plan, including the selection of
17 programs and interventions to improve student performance.

18 The representative shall perform duties as required by
19 paragraph (v) of this subsection. The plan shall be
20 recommended by the school district superintendent and
21 approved by the local board of trustees prior to submission

22 to the department. The plan shall describe the personnel
23 and financial resources within the education resource block

1 grant model as defined by W.S. 21-13-101(a)(xiv) necessary
2 for implementation of the measures and methods chosen for
3 improvement and shall specify how resources shall be
4 reallocated, if necessary, to improve student performance;~~;~~
5 ~~Failure to meet improvement goals as specified in the plan~~
6 ~~for two (2) consecutive years may be grounds for dismissal~~
7 ~~of the school principal;~~

8
9 (vii) A representative shall be appointed by the
10 state superintendent for all schools designated under
11 paragraphs (iv) through (vi) of this subsection to serve as
12 a liaison between the school district leadership and the
13 department. The representative shall be an employee of the
14 department, an employee of a Wyoming school district or any
15 combination, and may require more than one (1) individual
16 for schools requiring substantial intervention and support.
17 Additionally, one (1) representative may be assigned to
18 more than one (1) school. Among other duties as may be
19 requested by the district or department, the representative
20 shall review and approve improvement plans submitted by
21 schools in accordance with paragraphs (iv) through (vi) of
22 this subsection, and may review and evaluate district
23 student assessment systems implemented under W.S.

1 21-3-110(a)(xxiv) to ensure alignment with the uniform
2 state education standards. Requested resources for
3 improvement plan implementation, or the reallocation of
4 existing resources for plan implementation, shall be based
5 upon a comprehensive review of the available research.
6 Justification for resource allocation or reallocation shall
7 be incorporated within the written improvement plan. The
8 representative shall possess expertise appropriate to
9 particular strategies incorporated within improvement plans
10 to enable necessary plan evaluation, and shall be
11 commensurate with the level of intervention, support and
12 consequences to be administered under this subsection. The
13 state superintendent shall annually report to the state
14 board on the progress of each school in meeting annual
15 goals and overall improvement targets, fully describing the
16 effectiveness and deficiencies of efforts to improve school
17 performance in performance categories prescribed by this
18 section;

19

20 **21-3-110. Duties of boards of trustees.**

21

22 (a) The board of trustees in each school district
23 shall:

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(xxix) Beginning in school year 2012-2013, and each school year thereafter, administer a program where all students enrolled in the eleventh and twelfth grades in the district shall be required to take or be provided the opportunity to take, on a date specified by the state superintendent, a standardized, curriculum based, achievement college entrance examination, a computer-adaptive college placement assessment or for students enrolled in twelfth grade, a jobs skills assessment test in accordance with W.S. 21-2-202(a)(xxx). Each school district shall provide the opportunity for all home school and private school students in the eleventh and twelfth grades and residing within the district to take the examinations or for students in the twelfth grade, the jobs skills assessment test, at no cost to the student on the same date administered to all eleventh and twelfth grade public school students in the state. The results of the examinations or jobs skills assessment test taken shall be included in each student's transcript;

Section 2. W.S. 21-2-204(d)(v), (vi) and (e)(intro), 21-2-304(a)(iii)(intro), (B), (iv), (b)(xv) and (xvi),

1 21-3-110(a) (xv), (xvii), (xviii), (xix), (xxiv), (xxv),
2 (xxx) and by creating a new paragraph (xxxiv),
3 21-7-110(a) (vii) and 21-16-1307(e) (i) (intro) are amended to
4 read:

5

6 **21-2-204. Wyoming Accountability in Education Act;**
7 **statewide education accountability system created.**

8

9 (d) Beginning in school year 2013-2014, and each
10 school year thereafter, the department of education shall
11 compute and report an overall school performance rating
12 measured by student performance on those performance
13 indicators specified under subsection (c) of this section.
14 Any school through its school district may seek informal
15 review of any overall school performance rating or other
16 performance determination in accordance with the following:

17

18 (v) Not later than ~~thirty (30)~~ fifteen (15) days
19 after a ~~decision has been issued by the panel under~~
20 ~~paragraph (iv) of this subsection~~ school receives its final
21 rating or other performance determination from the
22 department of education, the school district may seek an
23 informal review with the state board. The state board

1 shall make a final determination as to the performance
2 rating or other performance determination within ~~sixty (60)~~
3 thirty (30) days after receipt of the request for review;

4

5 (vi) The state board shall promulgate rules and
6 regulations governing the informal review process before
7 ~~both the panel and~~ the board as conducted under this
8 subsection.

9

10 (e) The state board, through the department of
11 education, shall compile, evaluate and determine the target
12 levels for an overall school performance rating and for
13 content level performance. The board shall execute this
14 ~~determination by the board shall be developed~~ through a
15 prescribed deliberative process informed by a panel
16 comprised of broad based representation from both public
17 education and the community at-large. The target levels
18 for school performance on all performance indicators
19 measured under subsection (c) of this section shall conform
20 to the January 2012 education accountability report as
21 defined by subsection (k) of this section and shall be used
22 by the state board through the department to:

23

1 **21-2-304. Duties of the state board of education.**

2

3 (a) The state board of education shall:

4

5 (iii) By rule and regulation and in consultation
6 and coordination with local school districts, prescribe
7 uniform student content and performance standards for the
8 common core of knowledge and the common core of skills
9 specified under W.S. 21-9-101(b), and promulgate uniform
10 standards for programs addressing the special needs of
11 student populations specified under W.S. 21-9-101(c) that
12 ensure these student populations are provided the
13 opportunity to learn the common core of knowledge and
14 skills as prescribed by the uniform student content and
15 performance standards pursuant to this paragraph. Student
16 content and performance standards prescribed under this
17 paragraph shall include standards for graduation from any
18 high school within any school district of this state. and
19 ~~shall describe required performance levels in order to~~
20 ~~achieve proficiency of the common core of knowledge and~~
21 ~~common core of skills prescribed under W.S. 21-9-101(b).~~
22 The ability to prescribe content and performance standards
23 shall not be construed to give the state board of education

1 the authority to prescribe textbooks or curriculum which
2 the state board is hereby forbidden to do. Graduation
3 standards imposed under this paragraph shall require the
4 successful completion of the following components, as
5 evidenced by passing grades or by the successful
6 performance on competency-based equivalency examinations:

7
8 (B) Three (3) school years of mathematics
9 and effective school year 2015-2016 and each school year
10 thereafter, one (1) additional year of mathematics, which
11 may include elective courses incorporating applied
12 mathematics or mathematical methods typically used in
13 science, engineering, information technology or business
14 and industry, if the course is approved by the local board
15 of trustees;

16
17 (iv) Effective school year 2013-2014, and each
18 school year thereafter, require district administration of
19 common benchmark adaptive assessments statewide in reading
20 and mathematics for grades one (1) through eight (8) in
21 accordance with W.S. 21-3-110(a)(xxiv). The board shall
22 also establish, in consultation with local school
23 districts, requirements for students to earn a high school

1 diploma as evidenced by course completion and as measured
2 by each district's assessment system prescribed by rule and
3 regulation of the state board and required under W.S.
4 21-3-110(a) (xxiv). ~~Beginning school year 2014-2015, and~~
5 ~~each school year thereafter, each district's assessment~~
6 ~~system shall include a measure or multiple measures for~~
7 ~~purposes of determining completion of high school~~
8 ~~graduation requirements. The state board shall by rule and~~
9 ~~regulation establish guidelines for district development of~~
10 ~~this measure or measures, and shall through the department~~
11 ~~of education, provide support to districts in developing~~
12 ~~each district's measure or measures.~~ Once every five (5)
13 years and on a staggered basis, the state board shall
14 through the department, ~~annually~~ review and approve each
15 district's assessment system designed to determine the
16 various levels of student performance as aligned with the
17 uniform state standards and the attainment of high school
18 graduation requirements. ~~A high school diploma shall~~
19 ~~provide for one (1) of the following endorsements which~~
20 ~~shall be stated on the transcript of each student: as~~
21 evidenced by course completion. In addition and following
22 review, refinement and revision of student content and
23 performance standards adopted under paragraph (a) (iii) of

1 this section and reviewed under subsection (c) of this
2 section, the board shall establish a process to ensure
3 district assessment systems are aligned with the refined
4 and revised standards within two (2) full school years
5 following adoption of revised standards;

6
7 (b) In addition to subsection (a) of this section and
8 any other duties assigned to it by law, the state board
9 shall:

10
11 (xv) Not later than July 1, ~~2016~~2017,
12 promulgate rules and regulations for the implementation and
13 administration of a comprehensive school district teacher
14 performance evaluation system based in part upon defined
15 student academic performance measures as prescribed by law,
16 upon longitudinal data systems and upon measures of
17 professional practice according to standards for
18 professional practice prescribed by board rule and
19 regulation. The evaluation system shall clearly prescribe
20 standards for highly effective performance, effective
21 performance, performance in need of improvement and
22 ineffective performance. Rules and regulations adopted
23 under this paragraph shall to the extent the statewide

1 accountability system is not compromised, allow districts
2 the opportunity to refine the system to meet the individual
3 needs of the district. The performance evaluation system
4 shall also include reasonable opportunity for state and
5 district provision of mentoring and other professional
6 development activities made available to teachers
7 performing unsatisfactorily, which are designed to improve
8 instruction and student achievement;

9

10 (xvi) Not later than July 1, ~~2015~~2016,
11 promulgate rules and regulations for implementation and
12 administration of a comprehensive performance evaluation
13 system for school and district leadership, including
14 superintendents, principals and other district or school
15 leaders serving in a similar capacity. The performance
16 evaluation system shall be based in part upon defined
17 student academic performance measures as prescribed by law,
18 upon longitudinal data systems and upon measures of
19 professional practice according to standards prescribed by
20 board rule and regulation. The system shall also allow
21 districts opportunity to refine the system to meet the
22 individual needs of the district and shall include
23 reasonable opportunity for state and district provision of

1 mentoring and other professional development activities
2 made available to district administrative personnel
3 performing unsatisfactorily, designed to improve
4 leadership, management and student achievement;

5

6 **21-3-110. Duties of boards of trustees.**

7

8 (a) The board of trustees in each school district
9 shall:

10

11 (xv) Provide an educational program within the
12 schools under its jurisdiction in compliance with uniform
13 state standards prescribed under W.S. 21-9-101 and 21-9-102
14 and by rule and regulation of the state board and on or
15 before November 1 of each school year, report to the
16 department evidence that the district has developed a plan
17 detailing alignment of the curriculum provided within its
18 schools to the uniform state standards;

19

20 (xvii) Not later than school year ~~2016-2017~~
21 2018-2019 and each school year thereafter, require the
22 performance of each initial contract teacher to be
23 evaluated summatively based in part upon student

1 achievement measures as prescribed by rule and regulation
2 of the state board under W.S. 21-2-304(b) (xv). The teacher
3 shall receive a copy of each evaluation of his performance;

4

5 (xviii) Not later than school year ~~2016-2017~~
6 2018-2019 and each school year thereafter, establish a
7 teacher performance evaluation system and require the
8 performance of each continuing contract teacher to be
9 evaluated summatively based in part upon student
10 achievement measures as prescribed by rule and regulation
11 of the state board under W.S. 21-2-304(b) (xv). The teacher
12 shall receive a copy of each evaluation of his performance;

13

14 (xix) Not later than school year ~~2016-2017-2018-~~
15 2019 and each school year thereafter, based in part upon
16 student achievement measures established by the state board
17 of education under W.S. 21-2-304(b) (xv), performance
18 evaluations shall serve as a basis for improvement of
19 instruction, enhancement of curriculum program
20 implementation, measurement of both individual teacher
21 performance and professional growth and development and the
22 performance level of all teachers within the school
23 district, and as documentation for unsatisfactory

1 performance that may lead to dismissal, suspension and
2 termination proceedings under W.S. 21-7-110;

3
4 (xxiv) Establish a student assessment system to
5 measure student performance relative to the uniform student
6 content and performance standards in all content areas for
7 which the state board has promulgated standards pursuant to
8 W.S. 21-2-304(a)(iii). To the extent required by W.S.
9 21-2-204 and ~~21-2-304(a)(vii)~~ 21-2-304(a)(vi), the district
10 assessment system shall be integrated with the statewide
11 assessment system and the statewide accountability system.
12 Components of the district assessment system required by
13 this paragraph shall be designed and used to determine the
14 various levels of student performance ~~and attainment of~~
15 ~~high school graduation as described in~~ all content areas of
16 the uniform student content and performance standards
17 relative to the common core of knowledge and skills
18 prescribed under W.S. 21-9-101(b). ~~Beginning school year~~
19 ~~2014-2015 and each school year thereafter, a component of~~
20 ~~the district assessment system shall include a measure or~~
21 ~~multiple measures used to determine satisfactory completion~~
22 ~~of high school graduation requirements and developed in~~
23 ~~accordance with guidelines established by the state board.~~

1 The district shall ~~on or before August 1, 2015, and each~~
2 ~~August 1 thereafter,~~ report to the state board in
3 accordance with W.S. 21-2-304(a)(iv) on its assessment
4 system established under this paragraph. Beginning school
5 year 2013-2014 and each school year thereafter, a component
6 of the district assessment system shall include common
7 benchmark adaptive assessments for reading and mathematics
8 in grades two (2) through eight (8), common to all
9 districts statewide, administered at least two (2) times
10 during any one (1) school year and administered once in
11 grade one (1). An additional component of the district
12 assessment system shall continue the longitudinal study of
13 summer school program effectiveness which uses a single
14 common benchmark adaptive assessment in reading and
15 mathematics administered for summer school and extended day
16 intervention and remediation programs in accordance with
17 W.S. 21-13-334(h)(iv);

18

19 (xxv) At minimum, ~~provide the three (3)~~
20 ~~endorsements on high school transcripts specified under~~
21 ~~W.S. 21-2-304(a)(iv) and may provide additional~~
22 endorsements and on or before November 1 of each school
23 year, report to the department of education evidence that

1 the district is compliant with high school graduation
2 standards imposed by the state board under W.S.
3 21-2-304(a)(iii);
4

5 (xxx) Not later than school year ~~2015-2016~~ 2017-
6 2018 and each school year thereafter, in addition to
7 paragraphs (xvii), (xviii) and (xix), require the
8 performance of each school district leader, including
9 superintendents and principals and other district or school
10 leaders serving in a similar capacity to be evaluated in
11 accordance with the statewide education accountability
12 system established under W.S. 21-2-204. Not later than
13 August 15, ~~2016~~ 2018 and August 15 of each school year
14 thereafter, in accordance with rules and regulations of the
15 state board, the district board shall also provide the
16 state board written reports verifying school district
17 leader performance and providing performance scores
18 necessary for continued employment;

19
20 (xxxiv) Effective school year 2015-2016, in
21 conjunction with district accreditation, as a component of
22 the statewide education accountability system and in
23 accordance with W.S. 21-2-202(a)(xxxvi), be subject to a

1 review by the department of education once every five (5)
2 years on the alignment of the district's curriculum plan
3 and assessment system with the uniform state education
4 standards promulgated by the state board, and the
5 district's adherence to the uniform graduation standards
6 prescribed by the state board under W.S. 21-2-304(a)(iii).

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

11
12 (a) The board may suspend or dismiss any teacher, or
13 terminate any continuing contract teacher, for any of the
14 following reasons:

15
16 (vii) Beginning school year ~~2016-2017~~2018-2019
17 and each school year thereafter, inadequate performance as
18 determined through performance evaluation tied to student
19 academic growth for at least two (2) consecutive years
20 completed in accordance with W.S. 21-3-110(a)(xvii) through
21 (xix);

22
23 **21-16-1307. Success curriculum; test standards.**

1

2 (e) The success curriculum required to qualify for
3 provisional opportunity scholarship eligibility under this
4 article for students graduating from high school in the
5 2010-2011 school year and each school year thereafter shall
6 be the curriculum required for high school graduation under
7 W.S. 21-2-304(a)(iii) subject to the following:

8

9 (i) Two (2) of the three (3) years of
10 mathematics required under W.S. 21-2-304(a)(iii)(B) shall
11 consist of at least two (2) years of those courses
12 specified in subparagraphs (A) through (C) of this
13 paragraph:

14

15 **Section 3.** W.S. 21-2-204(d)(iv) and
16 21-2-304(a)(iv)(A) through (C) are repealed.

17

18 **Section 4.**

19

20 (a) Notwithstanding 2014 Wyoming Session Laws,
21 Chapter 26, Section 2, Section 314, the select committee on
22 statewide education accountability shall continue through
23 December 31, 2016. The chairman of the senate education

1 committee and the chairman of the house education committee
2 shall continue to serve as cochairmen of the select
3 committee. The members serving on the select committee as
4 reconstituted under 2014 Wyoming Session Laws, Chapter 26,
5 Section 2, Section 314(a), shall continue to serve on the
6 select committee through December 31, 2016. The new
7 members of the select committee shall be appointed for
8 terms commencing with the sixty-third legislature as
9 provided by 2011 Wyoming Session Laws, Chapter 184, Section
10 4(b). Select committee members shall receive compensation,
11 per diem and travel expense reimbursement in the manner and
12 amount prescribed under W.S. 28-5-101. The appointing
13 authority for any member who vacates membership shall fill
14 the vacancy.

15

16 (b) Notwithstanding 2014 Wyoming Session Laws,
17 Chapter 26, Section 2, Section 314(b), the advisory
18 committee shall continue to assist the select committee as
19 the select committee deems necessary through December 31,
20 2015. The members appointed under 2011 Wyoming Session
21 Laws, Chapter 184, Section 4(d), as amended by 2013 Wyoming
22 Session Laws, Chapter 195, Section 3, shall continue to
23 serve on the advisory committee. The appointing authority

1 for any member who vacates membership shall fill the
2 vacancy. Any member appointed to the advisory committee
3 which is not an employee of a governmental subdivision or a
4 member of a political subdivision, board or commission
5 shall receive per diem and travel expenses in the manner
6 and amount provided state employees under W.S. 9-3-103.

7

8 (c) The legislative service office shall staff the
9 select committee and the advisory committee. The
10 department of education and other state agencies shall
11 provide information and other assistance as requested by
12 the select committee or the advisory committee. The
13 legislative service office may retain consultants as
14 necessary to staff and advise the select committee in
15 executing responsibilities prescribed by this act. The
16 management council may expend funds appropriated by the
17 legislature for approved contractual agreements between the
18 council and professional consultants on behalf of the
19 select committee.

20

21 (d) The select committee on statewide education
22 accountability shall continue its study of phase II of the
23 statewide education accountability system as initiated

1 under 2011 Wyoming Session Laws, Chapter 184, Section 4(g),
2 and continued under 2012 Wyoming Session Laws, Chapter 101,
3 Section 4, 2013 Wyoming Session Laws, Chapter 167, Section
4 3 and 2014 Wyoming Session Laws, Chapter 26, Section 2,
5 Section 314. Using the design framework for a teacher and
6 school district leader evaluation and accountability system
7 prescribed by 2013 Wyoming Session Laws, Chapter 167,
8 Section 3, together with a support system for school
9 districts, the piloting of phase II system components
10 within volunteer school districts in accordance with the
11 phased-in schedule prescribed by 2013 Wyoming Session Laws,
12 Chapter 167, Section 3(d), shall be implemented and
13 administered subject to the following guidelines:

14

15 (i) The measures for the four (4) domains of
16 professional educator practice specified under 2013 Wyoming
17 Session Laws, Chapter 167, Section 3(b), shall be weighted
18 at eighty percent (80%), and the measures of student
19 achievement and growth as evidence of student learning,
20 weighted at twenty percent (20%). Each school district
21 shall be afforded the ability to apply the eighty percent
22 (80%) combined weight to each of the four (4) specified
23 domains of professional educator practice at a weight it

1 determines, provided the total weight applied to all four
2 (4) domains does not exceed eighty percent (80%);

3

4 (ii) Identification of multiple measures of
5 professional practice for the evaluation of teacher and
6 school leader performance, including at minimum, classroom
7 observations and artifacts to document aspects of
8 professional practice, with specific artifacts to be
9 identified by each school district;

10

11 (iii) Articulation of the best practices for the
12 implementation and administration of the multiple measures
13 of professional practice to be used in performance
14 evaluation, with any deviation from the best practices to
15 be approved by the state superintendent of the department
16 of education;

17

18 (iv) Incorporation of student growth percentiles
19 into the evaluation of teachers in tested grades and
20 subjects, and incorporation of student learning objectives
21 for all teachers, but other approaches may be considered
22 based upon a documented research-based or best-practice
23 rationale. The results of both student growth percentiles

1 and student learning objectives shall be attributed to
2 educators, teachers and leaders, either individually or
3 collectively, based upon each district's theory of action;

4

5 (v) Identification of performance standards
6 describing the quality necessary for high performing
7 teachers and leaders;

8

9 (vi) Use of common performance level descriptors
10 in all districts as a narrative component of the
11 performance standards that describe the key qualities
12 differentiating teachers and leaders at each of the various
13 levels of performance;

14

15 (vii) Use of a common decision matrix for
16 producing the final ratings for all teachers and leaders in
17 all districts.

18

19 (e) Using minimum requirements specified under 2012
20 Wyoming Session Laws, Chapter 101, Section 6(c), and the
21 design framework prescribed by 2013 Wyoming Session Laws,
22 Chapter 167, Section 3, the select committee, through the
23 advisory committee, and with the assistance of the

1 department of education, shall continue development,
2 refinement and piloting of the teacher and school district
3 leader evaluation and accountability system subject to the
4 following criteria:

5

6 (i) System implementation and administration
7 maximizing school district control over the evaluation
8 process to the greatest extent possible;

9

10 (ii) Teacher and leader evaluation comprised of:

11

12 (A) Identification of best practices which
13 at minimum, includes the evaluation of teachers by leaders;

14

15 (B) A process and methodology for teachers
16 to meaningfully evaluate their school building and school
17 district leadership on an individual basis;

18

19 (C) A process and methodology for building
20 leadership to meaningfully evaluate peers and district
21 leadership;

22

1 (D) Appropriate systems to maintain
2 anonymity for evaluations; and

3

4 (E) A procedure for reporting results of
5 evaluations to all stakeholders in a transparent and timely
6 manner.

7

8 (iii) Use of rigorous teacher and leader
9 evaluations providing for multiple source feedback.

10

11 (f) The advisory committee, together with the
12 department of education, shall periodically report to the
13 select committee on the implementation and piloting of the
14 teacher and leader evaluation and accountability system
15 pursuant to subsections (d) and (e) of this section.
16 Subject to timelines prescribed by 2013 Wyoming Session
17 Laws, Chapter 167, Section 3(d) and as amended by this act,
18 system implementation and administration shall address data
19 and analytical needs and district support mechanisms. On
20 or before October 15, 2015, a final report shall be
21 submitted to the select committee by the advisory committee
22 on findings pertaining to system implementation, together
23 with any recommendations. Following receipt of this final

1 report, the select committee shall report findings and
2 recommendations to the legislature for consideration during
3 the 2016 budget session, including necessary enabling
4 legislation.

5

6 **Section 5.**

7

8 (a) Upon the effective date of this act, the
9 department of education shall immediately convene a
10 technical advisory group, consisting of professionals with
11 appropriate expertise, to develop a valid and reliable
12 accountability model as required by the Wyoming
13 Accountability in Education Act specifically for
14 alternative schools operating under W.S.
15 21-13-309(m)(v)(B). The model for alternative schools
16 shall conform to the principles and purposes specified
17 within the January 2012 education accountability report as
18 defined under W.S. 21-2-204(k). The technical advisory
19 group shall work in consultation with the advisory
20 committee to the select committee for statewide education
21 accountability as reauthorized under section 4(b) of this
22 act. Not later than October 15, 2015, the department shall
23 report recommendations for model implementation to the

1 select committee on statewide education accountability.
2 Recommendations shall include necessary enabling
3 legislation to implement the recommendations. The select
4 committee on statewide education accountability shall
5 report recommendations in the department's report to the
6 legislature for consideration during the 2016 budget
7 session.

8
9 (b) Notwithstanding any other provision of law, for
10 school years 2014-2015 and 2015-2016 only, alternative
11 schools operating under W.S. 21-13-309(m)(v)(B) shall
12 solely receive informational reporting under the Wyoming
13 Accountability in Education Act and shall be exempt from
14 school level performance ratings and aggregate district
15 scoring as computed and determined for schools in
16 accordance with W.S. 21-2-204(e) and reported under W.S.
17 21-2-204(h).

18
19 (c) Any member appointed to the technical advisory
20 group which is not an employee of a governmental
21 subdivision or member of a political subdivision board or
22 commission shall receive per diem and travel expenses in
23 the manner and amount provided state employees under W.S.

1 9-3-103. Reimbursement shall be from amounts appropriated
2 under section 7(a) of this act.

3

4 **Section 6.**

5

6 (a) The state board shall conduct a review and
7 evaluation of the statewide assessment system established
8 by W.S. 21-2-304(a)(v) which not only fulfills the
9 requirements of the statewide education accountability
10 system prescribed under W.S. 21-2-204 and complies with
11 statewide assessment and accreditation requirements imposed
12 upon the state board under W.S. 21-2-304, but strives for a
13 high quality, rigorous and effective assessment adhering to
14 principles of sound education policy and test measurement,
15 with due consideration given to cost, testing time
16 requirements for students and assessment burdens placed
17 upon school districts. The study shall review assessment
18 options available to the state and shall recommend an
19 approach for the state in continuance of a statewide
20 assessment system required by law. In implementing this
21 subsection, the following apply:

22

1 (i) The state board shall assemble a task force
2 to assist with the assessment review and evaluation. The
3 task force shall be comprised of representatives of small
4 and large school districts and schools from all geographic
5 regions of the state and shall at minimum include
6 representatives from district and school administration,
7 school district assessment and curriculum program
8 administrators, elementary and secondary school teachers,
9 school district board members, state higher education
10 representatives, member of the Wyoming business community
11 and parents of children enrolled in Wyoming public schools;

12

13 (ii) The task force shall be assembled no later
14 than April 1, 2015. Any member appointed to the task force
15 which is not an employee of a governmental subdivision or
16 member of a political subdivision board or commission shall
17 receive per diem and travel expenses in the manner and
18 amount provided state employees under W.S. 9-3-103.
19 Reimbursement shall be from amounts appropriated under
20 section 7(a) of this act;

21

22 (iii) As authorized under section 7(b) of this
23 act, the legislative service office, through acquired

1 professional consulting expertise, and the department of
2 education, shall assist the state board in its review and
3 evaluation required by this subsection;

4

5 (iv) On or before October 15, 2015, the state
6 board shall report to the select committee on findings and
7 recommendations developed from its review and evaluation
8 conducted under this subsection. In addition to
9 recommending an approach for the future statewide
10 assessment system, recommendations shall provide necessary
11 mechanisms and processes to support the transition from the
12 statewide assessment system existing on the effective date
13 of this act to the student assessment developed and
14 recommended under this subsection.

15

16 (b) The state board and department of education, in
17 implementing W.S. 21-2-202, 21-2-304 and 21-3-110, as
18 amended by sections 1 and 2 of this act, pertaining to
19 school district assessment systems and high school
20 graduation requirements, shall periodically report progress
21 to the select committee. A report with final
22 recommendations on guidelines shall be included within the

1 October 15, 2015, report required under subsection (a) of
2 this section.

3

4 (c) Based upon the report submitted under this
5 section, the select committee shall report its findings and
6 recommendations to the Wyoming legislature prior to the
7 2016 budget session, including implementing legislation and
8 a timeline for implementation when applicable.

9

10 (d) Notwithstanding any other provision of law, for
11 school year 2015-2016 only, the administration of the
12 statewide student assessment for grades 9 and 10 required
13 under W.S. 21-2-204 and 21-2-304(a)(v) shall include the
14 ability to utilize constructed response items.

15

16 **Section 7.**

17

18 (a) For the period commencing on the effective date
19 of this section and ending June 30, 2016, from amounts
20 appropriated to units 1327 and 1328 of the student
21 achievement and support program contained within 2014
22 Wyoming Session Laws, Chapter 26, Section 2, Section 206,
23 and from amounts appropriated to the department by 2014

1 Wyoming Session Laws, Chapter 26, Section 2, Section 206,
2 Footnote 5, up to seven hundred fifty thousand dollars
3 (\$750,000.00) or as much thereof as is necessary, may be
4 expended by the department to provide a system of support
5 to school districts in conformance with W.S. 21-2-204(f).
6 The system shall be in place in sufficient time to provide
7 system support to districts based upon 2014 performance
8 ratings computed under W.S. 21-2-204(d). This appropriation
9 may be expended for acquisition of necessary professional
10 consulting expertise. The department shall report
11 expenditures of amounts appropriated under this subsection
12 to members of the select committee on statewide education
13 accountability and the joint appropriations interim
14 committee on or before December 31, 2015.

15

16 (b) The state board may from amounts appropriated to
17 the department by 2014 Wyoming Session Laws, Chapter 26,
18 Section 2, Section 206, Footnote 5, expend up to two
19 hundred fifty thousand dollars (\$250,000.00) for purposes
20 of providing support and administration of the assessment
21 taskforce established under Section 6 of this act. This
22 appropriation may be expended for acquisition of necessary
23 professional consulting expertise. The state board shall

1 report expenditures to the select committee on statewide
2 education accountability by not later than December 31,
3 2015. In addition to support provided under this
4 subsection to the state board of education, the legislative
5 service office, through acquired professional consulting
6 expertise, shall assist the department and state board in
7 carrying out the support and administration of the
8 assessment taskforce established under Section 6 of this
9 act.

10

11 (c) For the period beginning upon the effective date
12 of this section and ending June 30, 2016, thirty-five
13 thousand dollars (\$35,000.00) is appropriated from the
14 school foundation program account to the legislative
15 service office for necessary expenses of the select
16 committee on statewide education accountability and the
17 advisory committee continued under this act, as necessary
18 to carry out this act.

19

1 **Section 8.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)