

ENROLLED ACT NO. 87, SENATE

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AN ACT relating to education accountability; conforming law as specified to Powers v. State, 2014 WY 15, 318 P.3d 300 and Powers v. State, No. 180-673 (1st Jud. Dist. Ct. Apr. 18, 2014); modifying administration of the statewide job skills assessment test and the college entrance exam; delaying implementation and modifying development of phase II for teacher and school leader accountability; providing for phase I school accountability implementation and refinement; prescribing oversight and use of district assessment systems in state accountability; modifying the process for incorporation of revised state standards into assessments; modifying state criteria for high school graduation; providing for continuation of select accountability and advisory committees; establishing a technical advisory group to study alternative school accountability; establishing a taskforce to study statewide assessment; eliminating item type restrictions on the statewide student assessment for grades nine (9) and ten (10) for one (1) year; requiring reporting requirements; providing appropriations; and providing for an effective date.

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

Section 1. W.S. 21-2-202(a)(xxx) and by creating a new paragraph (xxxvi), 21-2-204(f)(iv) through (vii) and 21-3-110(a)(xxix), as amended by 2015 Senate Enrolled Act 18 (SF0010) conforming Wyoming Statute to Powers v. State, 2014 WY 15, 318 P.3d 300 and Powers v. State, No. 180-673 (1st Jud. Dist. Ct. Apr. 18, 2014), are amended to read:

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

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

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(xxx) Effective school year 2012-2013 and each school year thereafter, in consultation and coordination with local school districts, by rule and regulation establish a program of administering a standardized, curriculum based, achievement college entrance examination, computer-adaptive college placement assessment and a job skills assessment test selected by the state superintendent to all students in the eleventh and twelfth grades throughout the state in accordance with this paragraph. The examinations and tests selected by the state superintendent shall be administered throughout the United States and shall be relied upon by institutions of higher education. The college entrance examination shall at a minimum test in the areas of English, reading, writing, mathematics and science for all students in grade eleven (11). The jobs skills assessment test shall be optional for all students in grade eleven (11) or twelve (12) and shall at a minimum test in the areas of applied math, reading for information and locating information. The state superintendent shall pay all costs associated with administering the college entrance examination, the computer-adaptive college placement assessment and the jobs skills assessment test and shall schedule a day during which examinations shall be provided. The date for statewide administration of the college entrance examination in grade eleven (11) shall be ~~selected so that following receipt of scores, students may timely register for senior year classes which may be necessary to allow the student to qualify for a state provided scholarship~~ established by the state superintendent in a manner that best meets the needs of students and school districts. The computer adaptive college placement assessment shall be optional and all students in grade twelve (12) shall be provided at least one (1) opportunity to take the assessment during the

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school year. The state superintendent may enter into agreements with an administrator of the college entrance examination and the computer-adaptive college placement assessment and an administrator of the jobs skills assessment test and adopt rules as necessary to ensure compliance with any requirements of an administrator, such as a secure environment. Waivers may be granted for the examinations and tests required by this paragraph for students with disabilities in accordance with the provisions of the federal No Child Left Behind Act of 2001 and the federal Individuals with Disabilities Education Act. Alternate assessments and accommodations shall be offered by the state superintendent in accordance with rule and regulation;

(xxxvi) Commencing school year 2015-2016, in conjunction with the school district accreditation process required under W.S. 21-2-304(a)(ii) and as a component of the statewide education accountability system created under W.S. 21-2-204, conduct a review of each school district's assessment system once every five (5) years to ensure alignment with the uniform state education standards promulgated by the state board, and to ensure district adherence to the uniform graduation standards prescribed by the state board under W.S. 21-2-304(a)(iii). Reviews undertaken pursuant to this paragraph, together with findings, shall be reported to the state board and any deficiencies determined by the review shall be addressed through the statewide system of support established under W.S. 21-2-204(f).

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

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(f) A progressive multi-tiered system of support, intervention and consequences to assist schools shall be established by the state board, and shall conform to the January 2012 education accountability report as defined by subsection (k) of this section. The system shall clearly identify and prescribe the actions for each level of support, intervention and consequence. Commencing with school year 2014-2015, and each school year thereafter, the state superintendent shall take action based upon system results according to the following:

(iv) Schools designated as meeting expectations shall file an improvement plan with the school district superintendent and the department. The plan shall be based upon an evaluation of the strengths and deficiencies of specific indicator scores that identifies appropriate improvement goals with an explanation of the measures and methods chosen for improvement, the processes to be implemented to deliver the improvement measures, identification of relevant timelines and benchmarks and an articulation of the process for measuring success of the methods chosen to increase performance. The state superintendent shall appoint a representative ~~from the department~~ in accordance with paragraph (vii) of this subsection to monitor the school's progress towards meeting the specified goals and implementation of the processes, measures and methods as contained in the school's plan. The representative shall assist the district, if requested, in identifying and securing the necessary resources to support the goals as stated by the school and the district;

(v) Schools designated as partially meeting expectations shall file an improvement plan in accordance with paragraph (iv) of this subsection that identifies and addresses all content and indicator areas where performance

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is below target levels. The state superintendent shall appoint a representative ~~from the department~~ in accordance with paragraph (vii) of this subsection to monitor the school's progress towards meeting the specified goals and implementation of the processes, measures and methods as contained in the school's plan. The representative shall assist the district in identifying and securing the necessary resources to support the goals as stated by the school and the district. Failure to meet improvement goals as specified in the plan for two (2) consecutive years may require that the school be subject to paragraph (vi) of this subsection;

(vi) Schools designated as not meeting expectations shall file an improvement plan in accordance with paragraph (iv) of this subsection that identifies and addresses all content and indicator areas where performance is below target levels. In addition, the evaluation of a district's student assessment system as provided by paragraph (vii) of this subsection may be undertaken in that school year immediately following any school year in which a school within the district has been designated as not meeting expectations. The state superintendent shall appoint a representative ~~from the department~~ in accordance with paragraph (vii) of this subsection to assist in drafting the improvement plan, including the selection of programs and interventions to improve student performance. The representative shall perform duties as required by paragraph (v) of this subsection. The plan shall be recommended by the school district superintendent and approved by the local board of trustees prior to submission to the department. The plan shall describe the personnel and financial resources within the education resource block grant model as defined by W.S. 21-13-101(a)(xiv) necessary for implementation of the measures and methods chosen for

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improvement and shall specify how resources shall be reallocated, if necessary, to improve student performance;~~:- Failure to meet improvement goals as specified in the plan for two (2) consecutive years may be grounds for dismissal of the school principal;~~

(vii) A representative shall be appointed by the state superintendent, in consultation with the local board of trustees, for all schools designated under paragraphs (iv) through (vi) of this subsection to serve as a liaison between the school district leadership and the department. The representative shall be an employee of the department, an employee of a Wyoming school district or any combination, and may require more than one (1) individual for schools requiring substantial intervention and support. Additionally, one (1) representative may be assigned to more than one (1) school. Among other duties as may be requested by the district or department, the representative shall review and ~~approve~~ provide suggestions on the improvement plans submitted by schools in accordance with paragraphs (iv) through (vi) of this subsection, and may review and evaluate district student assessment systems implemented under W.S. 21-3-110(a)(xxiv) to ensure alignment with the uniform state education standards. After one (1) year of a school not meeting expectations under paragraph (vi) of this subsection, approval of the improvement plan by the representative appointed under this subsection shall be required. Requested resources for improvement plan implementation, or the reallocation of existing resources for plan implementation, shall be based upon a comprehensive review of the available research. Justification for resource allocation or reallocation shall be incorporated within the written improvement plan. The representative shall possess expertise appropriate to particular strategies incorporated within improvement plans

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to enable necessary plan evaluation, and shall be commensurate with the level of intervention, support and consequences to be administered under this subsection. The state superintendent shall annually report to the state board on the progress of each school in meeting annual goals and overall improvement targets, fully describing the effectiveness and deficiencies of efforts to improve school performance in performance categories prescribed by this section;

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

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

(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 eleventh or 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 eleventh or 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~~may be included in each student's transcript;

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Section 2. W.S. 21-2-204(d) (v), (vi) and (e) (intro), 21-2-304(a) (iii) (intro), (iv), (b) (xv) and (xvi), 21-3-110(a) (xv), (xvii), (xviii), (xix), (xxiv), (xxv), (xxx), by creating a new paragraph (xxxiv) and (b), 21-7-102(a) (ii) (A) and (B) and 21-7-110(a) (vii) are amended to read:

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

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

(v) Not later than ~~thirty (30)~~ fifteen (15) days after a ~~decision has been issued by the panel under paragraph (iv) of this subsection~~ school receives its final rating or other performance determination from the department of education, the school district may seek an informal review with the state board. The state board shall make a final determination as to the performance rating or other performance determination within ~~sixty (60)~~ thirty (30) days after receipt of the request for review;

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

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

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

(a) The state board of education shall:

(iii) By rule and regulation and in consultation and coordination with local school districts, prescribe uniform student content and performance standards for the common core of knowledge and the common core of skills specified under W.S. 21-9-101(b), and promulgate uniform standards for programs addressing the special needs of student populations specified under W.S. 21-9-101(c) that ensure these student populations are provided the opportunity to learn the common core of knowledge and skills as prescribed by the uniform student content and performance standards pursuant to this paragraph. Student content and performance standards prescribed under this paragraph shall include standards for graduation from any high school within any school district of this state. and shall describe required performance levels in order to achieve proficiency of the common core of knowledge and common core of skills prescribed under W.S. 21-9-101(b).

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The ability to prescribe content and performance standards shall not be construed to give the state board of education the authority to prescribe textbooks or curriculum which the state board is hereby forbidden to do. Graduation standards imposed under this paragraph shall require the successful completion of the following components, as evidenced by passing grades or by the successful performance on competency-based equivalency examinations:

(iv) Effective school year 2013-2014, and each school year thereafter, require district administration of common benchmark adaptive assessments statewide in reading and mathematics for grades one (1) through eight (8) in accordance with W.S. 21-3-110(a)(xxiv). The board shall also establish, in consultation with local school districts, requirements for students to earn a high school diploma as evidenced by course completion and as measured by each district's assessment system prescribed by rule and regulation of the state board and required under W.S. 21-3-110(a)(xxiv). ~~Beginning school year 2014-2015, and each school year thereafter, each district's assessment system shall include a measure or multiple measures for purposes of determining completion of high school graduation requirements. The state board shall by rule and regulation establish guidelines for district development of this measure or measures, and shall through the department of education, provide support to districts in developing each district's measure or measures. Once every five (5) years and on a staggered basis, the~~ state board shall through the department, ~~annually~~ review and approve each district's assessment system designed to determine the various levels of student performance as aligned with the uniform state standards and the attainment of high school graduation requirements. ~~A high school diploma shall provide for one (1) of the following endorsements which~~

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~~shall be stated on the transcript of each student: as evidenced by course completion. In addition and following review, refinement and revision of student content and performance standards adopted under paragraph (a)(iii) of this section and reviewed under subsection (c) of this section, the board shall establish a process to ensure district assessment systems are aligned with the refined and revised standards within three (3) full school years following adoption of revised standards;~~

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

(xv) Not later than July 1, ~~2016~~2019, promulgate rules and regulations for the implementation and administration of a comprehensive school district teacher performance evaluation system based in part upon defined student academic performance measures as prescribed by law, upon longitudinal data systems and upon measures of professional practice according to standards for professional practice prescribed by board rule and regulation. The evaluation system shall clearly prescribe standards for highly effective performance, effective performance, performance in need of improvement and ineffective performance. Rules and regulations adopted under this paragraph shall to the extent the statewide accountability system is not compromised, allow districts the opportunity to refine the system to meet the individual needs of the district. The performance evaluation system shall also include reasonable opportunity for state and district provision of mentoring and other professional development activities made available to teachers performing unsatisfactorily, which are designed to improve instruction and student achievement;

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(xvi) Not later than July 1, ~~2015~~—2018, promulgate rules and regulations for implementation and administration of a comprehensive performance evaluation system for school and district leadership, including superintendents, principals and other district or school leaders serving in a similar capacity. The performance evaluation system shall be based in part upon defined student academic performance measures as prescribed by law, upon longitudinal data systems and upon measures of professional practice according to standards prescribed by board rule and regulation. The system shall also allow districts opportunity to refine the system to meet the individual needs of the district and shall include reasonable opportunity for state and district provision of mentoring and other professional development activities made available to district administrative personnel performing unsatisfactorily, designed to improve leadership, management and student achievement;

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

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

(xv) Provide an educational program within the schools under its jurisdiction in compliance with uniform state standards prescribed under W.S. 21-9-101 and 21-9-102 and by rule and regulation of the state board and on or before November 1 of each school year, report to the department evidence of the alignment of its assessment system with the uniform state standards provided within its schools;

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(xvii) Not later than school year ~~2016-2017~~
2019-2020 and each school year thereafter, require the performance of each initial contract teacher to be evaluated summatively based in part upon student achievement measures as prescribed by rule and regulation of the state board under W.S. 21-2-304(b)(xv). The teacher shall receive a copy of each evaluation of his performance;

(xviii) Not later than school year ~~2016-2017~~
2019-2020 and each school year thereafter, establish a teacher performance evaluation system and require the performance of each continuing contract teacher to be evaluated summatively based in part upon student achievement measures as prescribed by rule and regulation of the state board under W.S. 21-2-304(b)(xv). The teacher shall receive a copy of each evaluation of his performance;

(xix) Not later than school year ~~2016-2017~~
2019-2020 and each school year thereafter, based in part upon student achievement measures established by the state board of education under W.S. 21-2-304(b)(xv), performance evaluations shall serve as a basis for improvement of instruction, enhancement of curriculum program implementation, measurement of both individual teacher performance and professional growth and development and the performance level of all teachers within the school district, and as documentation for unsatisfactory performance that may lead to dismissal, suspension and termination proceedings under W.S. 21-7-110;

(xxiv) Establish a student assessment system to measure student performance relative to the uniform student content and performance standards in all content areas for which the state board has promulgated standards pursuant to W.S. 21-2-304(a)(iii). To the extent required by W.S.

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21-2-204 and ~~21-2-304(a)(vii)~~ 21-2-304(a)(vi), the district assessment system shall be integrated with the statewide assessment system and the statewide accountability system. Components of the district assessment system required by this paragraph shall be designed and used to determine the various levels of student performance ~~and attainment of high school graduation as described in~~ all content areas of the uniform student content and performance standards relative to the common core of knowledge and skills prescribed under W.S. 21-9-101(b). ~~Beginning school year 2014-2015 and each school year thereafter, a component of the district assessment system shall include a measure or multiple measures used to determine satisfactory completion of high school graduation requirements and developed in accordance with guidelines established by the state board.~~ The district shall ~~on or before August 1, 2015, and each August 1 thereafter,~~ report to the state board in accordance with W.S. 21-2-304(a)(iv) on its assessment system established under this paragraph. Beginning school year 2013-2014 and each school year thereafter, a component of the district assessment system shall include common benchmark adaptive assessments for reading and mathematics in grades two (2) through eight (8), common to all districts statewide, administered at least two (2) times during any one (1) school year and administered once in grade one (1). An additional component of the district assessment system shall continue the longitudinal study of summer school program effectiveness which uses a single common benchmark adaptive assessment in reading and mathematics administered for summer school and extended day intervention and remediation programs in accordance with W.S. 21-13-334(h)(iv);

(xxv) At minimum, ~~provide the three (3) endorsements on high school transcripts specified under~~

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W.S. ~~21-2-304(a)(iv)~~ and may provide additional endorsements and on or before November 1 of each school year, report to the department of education evidence that the district is compliant with high school graduation standards imposed by the state board under W.S. 21-2-304(a)(iii);

(xxx) Not later than school year ~~2015-2016~~ 2018-2019 and each school year thereafter, in addition to paragraphs (xvii), (xviii) and (xix), require the performance of each school district leader, including superintendents and principals and other district or school leaders serving in a similar capacity to be evaluated in accordance with the statewide education accountability system established under W.S. 21-2-204. Not later than August 15, ~~2016-2019~~ and August 15 of each school year thereafter, in accordance with rules and regulations of the state board, the district board shall also provide the state board written reports verifying school district leader performance and providing performance scores; ~~necessary for continued employment;~~

(xxxiv) Effective school year 2015-2016, in conjunction with district accreditation, as a component of the statewide education accountability system and in accordance with W.S. 21-2-202(a)(xxxvi), be subject to a review by the department of education once every five (5) years on the alignment of the district's assessment system with the uniform state education standards promulgated by the state board, and the district's adherence to the uniform graduation standards prescribed by the state board under W.S. 21-2-304(a)(iii).

(b) On or before June 1, ~~2017-2020~~ and June 1 of each school year thereafter, each school district superintendent

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shall provide a report to the board of trustees identifying all teachers and on or before June 1, ~~2016~~2019, and June 1 of each school year thereafter, identifying all school and district leaders within the district whose performance, through evaluations conducted under paragraphs (a)(xvii) through (xix) and (xxx) of this section, has been determined in need of improvement or ineffective for that school year. The report shall include a summary of mentoring and other professional development activities made available to the identified school and district leaders and teachers to improve instruction and student achievement. Not later than July 1, ~~2016~~2019 for school and district leaders, and July 1, ~~2017~~2020 for district teachers, and July 1 of each school year thereafter, the board shall file a report with the department of education certifying compliance with this subsection.

21-7-102. Definitions.

(a) As used in this article the following definitions shall apply:

(ii) "Continuing Contract Teacher":

(A) Any initial contract teacher who has been employed by the same school district in the state of Wyoming for a period of three (3) consecutive school years, has had his contract renewed for a fourth consecutive school year and, beginning school year ~~2016-2017~~2019-2020 and each school year thereafter, has performed satisfactorily on performance evaluations implemented by the district under W.S. 21-3-110(a)(xvii) during this period of time; or

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(B) A teacher who has achieved continuing contract status in one (1) district, and who without lapse of time has taught two (2) consecutive school years and has had his contract renewed for a third consecutive school year by the employing school district, and, beginning school year ~~2016-2017~~2019-2020 and each school year thereafter, has performed satisfactorily on performance evaluations conducted by both districts under W.S. 21-3-110(a)(xvii) during this period of time.

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

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

(vii) Beginning school year ~~2016-2017~~2019-2020 and each school year thereafter, inadequate performance as determined through performance evaluation tied to student academic growth for at least two (2) consecutive years completed in accordance with W.S. 21-3-110(a)(xvii) through (xix);

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

Section 4.

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

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shall continue to serve as cochairmen of the select committee. Members of the select committee shall be appointed for terms commencing with the sixty-third legislature as provided by 2011 Wyoming Session Laws, Chapter 184, Section 4(b) to serve on the select committee through December 31, 2016. Select committee members shall receive compensation, per diem and travel expense reimbursement in the manner and amount prescribed under W.S. 28-5-101. The appointing authority for any member who vacates membership shall fill the vacancy.

(b) Notwithstanding 2014 Wyoming Session Laws, Chapter 26, Section 2, Section 314(b), the advisory committee shall continue to assist the select committee as the select committee deems necessary through December 31, 2015. The members appointed under 2011 Wyoming Session Laws, Chapter 184, Section 4(d), as amended by 2013 Wyoming Session Laws, Chapter 195, Section 3, shall continue to serve on the advisory committee. The appointing authority for any member who vacates membership shall fill the vacancy. Any member appointed to the advisory committee which is not an employee of a governmental subdivision or a member of a political subdivision, board or commission shall receive per diem and travel expenses in the manner and amount provided state employees under W.S. 9-3-103.

(c) The legislative service office shall staff the select committee and the advisory committee. The department of education and other state agencies shall provide information and other assistance as requested by the select committee or the advisory committee. The legislative service office may retain consultants as necessary to staff and advise the select committee in executing responsibilities prescribed by this act. The management council may expend funds appropriated by the

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legislature for approved contractual agreements between the council and professional consultants on behalf of the select committee.

(d) The select committee on statewide education accountability shall continue its study of phase II of the statewide education accountability system. In continuation of the study of Phase II, the advisory committee shall consider existing teacher performance evaluation systems utilized by Wyoming school districts and, to the extent possible, incorporate the systems or concepts of the systems into the teacher and leader evaluation systems required by Phase II. Student achievement and growth shall not be weighted in excess of twenty percent (20%) as evidence of teacher performance in the continued study of Phase II.

(e) The advisory committee, together with the department of education, shall periodically report to the select committee on the teacher and leader evaluation and accountability system. On or before October 15, 2015, a final report shall be submitted to the joint education interim committee and the select committee by the advisory committee on findings pertaining to system implementation, together with any recommendations. Following receipt of this final report, the select committee and the joint education interim committee shall meet to consider the final report and any necessary enabling legislation. The joint education interim committee and the select committee shall report findings and recommendations to the legislature for consideration during the 2016 budget session, including necessary enabling legislation.

(f) Any report submitted pursuant to subsection (e) of this section by the advisory committee, and prepared

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with the assistance of a consultant, shall be approved by a majority of the members of the advisory committee prior to submission to the joint education interim committee and the select committee.

Section 5.

(a) Upon the effective date of this act, the department of education shall immediately convene a technical advisory group, consisting of professionals with appropriate expertise, to develop a valid and reliable accountability model as required by the Wyoming Accountability in Education Act specifically for alternative schools operating under W.S. 21-13-309(m)(v)(B). The model for alternative schools shall conform to the principles and purposes specified within the January 2012 education accountability report as defined under W.S. 21-2-204(k). The technical advisory group shall work in consultation with the advisory committee to the select committee for statewide education accountability as reauthorized under section 4(b) of this act. Not later than October 15, 2015, the department shall report recommendations for model implementation to the joint education interim committee and the select committee on statewide education accountability. Recommendations shall include necessary enabling legislation to implement the recommendations. The joint education interim committee and the select committee on statewide education accountability shall report recommendations in the department's report to the legislature for consideration during the 2016 budget session.

(b) Notwithstanding any other provision of law, for school years 2014-2015 and 2015-2016 only, alternative schools operating under W.S. 21-13-309(m)(v)(B) shall

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solely receive informational reporting under the Wyoming Accountability in Education Act and shall be exempt from school level performance ratings and aggregate district scoring as computed and determined for schools in accordance with W.S. 21-2-204(e) and reported under W.S. 21-2-204(h).

(c) Any member appointed to the technical advisory group which is not an employee of a governmental subdivision or member of a political subdivision board or commission shall receive per diem and travel expenses in the manner and amount provided state employees under W.S. 9-3-103. Reimbursement shall be from amounts appropriated under section 7(a) of this act.

Section 6.

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

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ENROLLED ACT NO. 87, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2015 GENERAL SESSION

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

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

(iii) As authorized under section 7(b) of this act, the legislative service office, through acquired professional consulting expertise, and the department of education, shall assist the state board in its review and evaluation required by this subsection;

(iv) On or before October 15, 2015, the state board shall report to the joint education interim committee and the select committee on findings and recommendations developed from its review and evaluation conducted under this subsection. In addition to recommending an approach for the future statewide assessment system, recommendations shall provide necessary mechanisms and processes to support the transition from the statewide assessment system

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existing on the effective date of this act to the student assessment developed and recommended under this subsection.

(b) The state board and department of education, in implementing W.S. 21-2-202, 21-2-304 and 21-3-110, as amended by sections 1 and 2 of this act, pertaining to school district assessment systems and high school graduation requirements, shall periodically report progress to the joint education interim committee and the select committee. A report with final recommendations on guidelines shall be included within the October 15, 2015, report required under subsection (a) of this section.

(c) Following receipt of this final report, the joint education interim committee and the select committee shall meet to consider the final report and any necessary enabling legislation. The joint education interim committee and the select committee shall report any findings and recommendations to the Wyoming legislature prior to the 2016 budget session, including implementing legislation and a timeline for implementation when applicable.

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

(e) The state board, with assistance from the state superintendent, shall immediately request the United States department of education allow an exemption from the requirements under the federal No Child Left Behind Act to allow for administration of the statewide student assessment in grades three (3), five (5), seven (7), nine (9) and eleven (11), or an alternative grade band

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assessment configuration, to assess reading, math and science for purposes of complying with the assessment requirements of the federal act. The state board shall report each month to the select committee on statewide education accountability and the joint education interim committee on the status of this request. Not later than October 15, 2015, the state board shall submit a final report to the select committee on statewide accountability and the joint education interim committee on the action taken under this subsection and any additional waivers or exceptions necessary to administer the statewide student assessment system contemplated under this subsection.

Section 7.

(a) For the period commencing on the effective date of this section and ending June 30, 2016, from amounts appropriated to units 1327 and 1328 of the student achievement and support program contained within 2014 Wyoming Session Laws, Chapter 26, Section 2, Section 206, and from amounts appropriated to the department by 2014 Wyoming Session Laws, Chapter 26, Section 2, Section 206, Footnote 5, up to seven hundred fifty thousand dollars (\$750,000.00) or as much thereof as is necessary, may be expended by the department to provide a system of support to school districts in conformance with W.S. 21-2-204(f). The system shall be in place in sufficient time to provide system support to districts based upon 2014 performance ratings computed under W.S. 21-2-204(d). This appropriation may be expended for acquisition of necessary professional consulting expertise. The department shall report expenditures of amounts appropriated under this subsection to members of the select committee on statewide education accountability and the joint appropriations interim committee on or before December 31, 2015.

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(b) The state board may from amounts appropriated to the department by 2014 Wyoming Session Laws, Chapter 26, Section 2, Section 206, Footnote 5, expend up to twenty-five thousand dollars (\$25,000.00) for purposes of providing support and administration of the assessment taskforce established under Section 6 of this act. This appropriation may be expended for per diem and other expenses of the task force. The state board shall report expenditures to the select committee on statewide education accountability by not later than December 31, 2015. In addition to support provided under this subsection to the state board of education, the legislative service office, through acquired professional consulting expertise, shall assist the department and state board in carrying out the support and administration of the assessment taskforce established under Section 6 of this act.

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

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk