

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:

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

(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)~~ Four (4) school years of
9 mathematics;

10

11 (iv) Effective school year 2013-2014, and each
12 school year thereafter, require district administration of
13 common benchmark adaptive assessments statewide in reading
14 and mathematics for grades one (1) through eight (8) in
15 accordance with W.S. 21-3-110(a)(xxiv). The board shall
16 also establish, in consultation with local school
17 districts, requirements for students to earn a high school
18 diploma as evidenced by course completion and as measured
19 by each district's assessment system prescribed by rule and
20 regulation of the state board and required under W.S.
21 21-3-110(a)(xxiv). ~~Beginning school year 2014-2015, and~~
22 ~~each school year thereafter, each district's assessment~~
23 ~~system shall include a measure or multiple measures for~~

1 ~~purposes of determining completion of high school~~
2 ~~graduation requirements. The state board shall by rule and~~
3 ~~regulation establish guidelines for district development of~~
4 ~~this measure or measures, and shall through the department~~
5 ~~of education, provide support to districts in developing~~
6 ~~each district's measure or measures.~~ Once every five (5)
7 years and on a staggered basis, the state board shall
8 through the department, ~~annually~~ review and approve each
9 district's assessment system designed to determine the
10 various levels of student performance as aligned with the
11 uniform state standards and the attainment of high school
12 graduation requirements. ~~A high school diploma shall~~
13 ~~provide for one (1) of the following endorsements which~~
14 ~~shall be stated on the transcript of each student: as~~
15 evidenced by course completion. In addition and following
16 review, refinement and revision of student content and
17 performance standards adopted under paragraph (a)(iii) of
18 this section and reviewed under subsection (c) of this
19 section, the board shall establish a process to ensure
20 district assessment systems are aligned with the refined
21 and revised standards within two (2) full school years
22 following adoption of revised standards;
23

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

4
5 (xv) Not later than July 1, ~~2016~~2017,
6 promulgate rules and regulations for the implementation and
7 administration of a comprehensive school district teacher
8 performance evaluation system based in part upon defined
9 student academic performance measures as prescribed by law,
10 upon longitudinal data systems and upon measures of
11 professional practice according to standards for
12 professional practice prescribed by board rule and
13 regulation. The evaluation system shall clearly prescribe
14 standards for highly effective performance, effective
15 performance, performance in need of improvement and
16 ineffective performance. Rules and regulations adopted
17 under this paragraph shall to the extent the statewide
18 accountability system is not compromised, allow districts
19 the opportunity to refine the system to meet the individual
20 needs of the district. The performance evaluation system
21 shall also include reasonable opportunity for state and
22 district provision of mentoring and other professional
23 development activities made available to teachers

1 performing unsatisfactorily, which are designed to improve
2 instruction and student achievement;

3
4 (xvi) Not later than July 1, ~~2015~~2016,
5 promulgate rules and regulations for implementation and
6 administration of a comprehensive performance evaluation
7 system for school and district leadership, including
8 superintendents, principals and other district or school
9 leaders serving in a similar capacity. The performance
10 evaluation system shall be based in part upon defined
11 student academic performance measures as prescribed by law,
12 upon longitudinal data systems and upon measures of
13 professional practice according to standards prescribed by
14 board rule and regulation. The system shall also allow
15 districts opportunity to refine the system to meet the
16 individual needs of the district and shall include
17 reasonable opportunity for state and district provision of
18 mentoring and other professional development activities
19 made available to district administrative personnel
20 performing unsatisfactorily, designed to improve
21 leadership, management and student achievement;

22

23 **21-3-110. Duties of boards of trustees.**

1

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

4

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

13

14 (xvii) Not later than school year ~~2016-2017~~
15 2017-2018 and each school year thereafter, require the
16 performance of each initial contract teacher to be
17 evaluated summatively based in part upon student
18 achievement measures as prescribed by rule and regulation
19 of the state board under W.S. 21-2-304(b)(xv). The teacher
20 shall receive a copy of each evaluation of his performance;

21

22 (xviii) Not later than school year ~~2016-2017~~
23 2017-2018 and each school year thereafter, establish a

1 teacher performance evaluation system and require the
2 performance of each continuing contract teacher to be
3 evaluated summatively based in part upon student
4 achievement measures as prescribed by rule and regulation
5 of the state board under W.S. 21-2-304(b) (xv). The teacher
6 shall receive a copy of each evaluation of his performance;

7
8 (xix) Not later than school year ~~2016-2017~~2017-
9 2018 and each school year thereafter, based in part upon
10 student achievement measures established by the state board
11 of education under W.S. 21-2-304(b) (xv), performance
12 evaluations shall serve as a basis for improvement of
13 instruction, enhancement of curriculum program
14 implementation, measurement of both individual teacher
15 performance and professional growth and development and the
16 performance level of all teachers within the school
17 district, and as documentation for unsatisfactory
18 performance that may lead to dismissal, suspension and
19 termination proceedings under W.S. 21-7-110;

20
21 (xxiv) Establish a student assessment system to
22 measure student performance relative to the uniform student
23 content and performance standards in all content areas for

1 which the state board has promulgated standards pursuant to
2 W.S. 21-2-304(a)(iii). To the extent required by W.S.
3 21-2-204 and ~~21-2-304(a)(vii)~~ 21-2-304(a)(vi), the district
4 assessment system shall be integrated with the statewide
5 assessment system and the statewide accountability system.
6 Components of the district assessment system required by
7 this paragraph shall be designed and used to determine the
8 various levels of student performance ~~and attainment of~~
9 ~~high school graduation as described~~ in all content areas of
10 the uniform student content and performance standards
11 relative to the common core of knowledge and skills
12 prescribed under W.S. 21-9-101(b). ~~Beginning school year~~
13 ~~2014-2015 and each school year thereafter, a component of~~
14 ~~the district assessment system shall include a measure or~~
15 ~~multiple measures used to determine satisfactory completion~~
16 ~~of high school graduation requirements and developed in~~
17 ~~accordance with guidelines established by the state board.~~
18 The district shall ~~on or before August 1, 2015, and each~~
19 ~~August 1 thereafter,~~ report to the state board in
20 accordance with W.S. 21-2-304(a)(iv) on its assessment
21 system established under this paragraph. Beginning school
22 year 2013-2014 and each school year thereafter, a component
23 of the district assessment system shall include common

1 benchmark adaptive assessments for reading and mathematics
2 in grades two (2) through eight (8), common to all
3 districts statewide, administered at least two (2) times
4 during any one (1) school year and administered once in
5 grade one (1). An additional component of the district
6 assessment system shall continue the longitudinal study of
7 summer school program effectiveness which uses a single
8 common benchmark adaptive assessment in reading and
9 mathematics administered for summer school and extended day
10 intervention and remediation programs in accordance with
11 W.S. 21-13-334(h)(iv);

12

13 (xxv) At minimum, ~~provide the three (3)~~
14 ~~endorsements on high school transcripts specified under~~
15 ~~W.S. 21-2-304(a)(iv) and may provide additional~~
16 endorsements and on or before November 1 of each school
17 year, report to the department of education evidence that
18 the district is compliant with high school graduation
19 standards imposed by the state board under W.S.
20 21-2-304(a)(iii);

21

22 (xxx) Not later than school year ~~2015-2016~~ 2016-
23 2017 and each school year thereafter, in addition to

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

13

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

1

2 **21-7-110. Suspension or dismissal of teachers;**
3 **notice; hearing; independent hearing officer; board review**
4 **and decision; appeal.**

5

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

9

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

16

17 **21-16-1307. Success curriculum; test standards.**

18

19 (e) The success curriculum required to qualify for
20 provisional opportunity scholarship eligibility under this
21 article for students graduating from high school in the
22 2010-2011 school year and each school year thereafter shall

1 be the curriculum required for high school graduation under
2 W.S. 21-2-304(a)(iii) subject to the following:

3

4 (i) Two (2) of the ~~three (3)~~ four (4) years of
5 mathematics required under W.S. 21-2-304(a)(iii)(B) shall
6 consist of at least two (2) years of those courses
7 specified in subparagraphs (A) through (C) of this
8 paragraph:

9

10 **Section 3.** W.S. 21-2-204(d)(iv) and
11 21-2-304(a)(iv)(A) through (C) are repealed.

12

13 **Section 4.**

14

15 (a) Notwithstanding 2014 Wyoming Session Laws,
16 Chapter 26, Section 2, Section 314, the select committee on
17 statewide education accountability shall continue through
18 December 31, 2016. The chairman of the senate education
19 committee and the chairman of the house education committee
20 shall continue to serve as cochairmen of the select
21 committee. The members serving on the select committee as
22 reconstituted under 2014 Wyoming Session Laws, Chapter 26,
23 Section 2, Section 314(a), shall continue to serve on the

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

10

11 (b) Notwithstanding 2014 Wyoming Session Laws,
12 Chapter 26, Section 2, Section 314(b), the advisory
13 committee shall continue to assist the select committee as
14 the select committee deems necessary through December 31,
15 2015. The members appointed under 2011 Wyoming Session
16 Laws, Chapter 184, Section 4(d), as amended by 2013 Wyoming
17 Session Laws, Chapter 195, Section 3, shall continue to
18 serve on the advisory committee. The appointing authority
19 for any member who vacates membership shall fill the
20 vacancy. Any member appointed to the advisory committee
21 which is not an employee of a governmental subdivision or a
22 member of a political subdivision, board or commission

1 shall receive per diem and travel expenses in the manner
2 and amount provided state employees under W.S. 9-3-103.

3

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

16

17 (d) The select committee on statewide education
18 accountability shall continue its study of phase II of the
19 statewide education accountability system as initiated
20 under 2011 Wyoming Session Laws, Chapter 184, Section 4(g),
21 and continued under 2012 Wyoming Session Laws, Chapter 101,
22 Section 4, 2013 Wyoming Session Laws, Chapter 167, Section
23 3 and 2014 Wyoming Session Laws, Chapter 26, Section 2,

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

10
11 (i) The measures for the four (4) domains of
12 professional educator practice specified under 2013 Wyoming
13 Session Laws, Chapter 167, Section 3(b), shall be weighted
14 at eighty percent (80%), and the measures of student
15 achievement and growth as evidence of student learning,
16 weighted at twenty percent (20%). Each school district
17 shall be afforded the ability to apply the eighty percent
18 (80%) combined weight to each of the four (4) specified
19 domains of professional educator practice at a weight it
20 determines, provided the total weight applied to all four
21 (4) domains does not exceed eighty percent (80%);

22

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

7
8 (iii) Articulation of the best practices for the
9 implementation and administration of the multiple measures
10 of professional practice to be used in performance
11 evaluation, with any deviation from the best practices to
12 be approved by the state superintendent of the department
13 of education;

14
15 (iv) Incorporation of student growth percentiles
16 into the evaluation of teachers in tested grades and
17 subjects, and incorporation of student learning objectives
18 for all teachers, but other approaches may be considered
19 based upon a documented research-based or best-practice
20 rationale. The results of both student growth percentiles
21 and student learning objectives shall be attributed to
22 educators, teachers and leaders, either individually or
23 collectively, based upon each district's theory of action;

1

2 (v) Identification of performance standards
3 describing the quality necessary for high performing
4 teachers and leaders;

5

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

11

12 (vii) Use of a common decision matrix for
13 producing the final ratings for all teachers and leaders in
14 all districts.

15

16 (e) Using minimum requirements specified under 2012
17 Wyoming Session Laws, Chapter 101, Section 6(c), and the
18 design framework prescribed by 2013 Wyoming Session Laws,
19 Chapter 167, Section 3, the select committee, through the
20 advisory committee, and with the assistance of the
21 department of education, shall continue development,
22 refinement and piloting of the teacher and school district

1 leader evaluation and accountability system subject to the
2 following criteria:

3

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

7

8 (ii) Teacher and leader evaluation comprised of:

9

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

12

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

16

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

20

21 (D) Appropriate systems to maintain
22 anonymity for evaluations; and

23

1 (E) A procedure for reporting results of
2 evaluations to all stakeholders in a transparent and timely
3 manner.

4

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

7

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

1 the 2016 budget session, including necessary enabling
2 legislation.

3

4 **Section 5.**

5

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

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

6

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

16

17 (c) Any member appointed to the technical advisory
18 group which is not an employee of a governmental
19 subdivision or member of a political subdivision board or
20 commission shall receive per diem and travel expenses in
21 the manner and amount provided state employees under W.S.
22 9-3-103. Reimbursement shall be from amounts appropriated
23 under section 7(a) of this act.

1

2 **Section 6.**

3

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

20

21 (i) The state board shall assemble a task force
22 to assist with the assessment review and evaluation. The
23 task force shall be comprised of representatives of small

1 and large school districts and schools from all geographic
2 regions of the state and shall at minimum include
3 representatives from district and school administration,
4 school district assessment and curriculum program
5 administrators, elementary and secondary school teachers,
6 school district board members, state higher education
7 representatives, member of the Wyoming business community
8 and parents of children enrolled in Wyoming public schools;

9

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

18

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

1

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

12

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

22

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

6

7 **Section 7.**

8

9 (a) For the period commencing on the effective date
10 of this section and ending June 30, 2016, from amounts
11 appropriated to units 1327 and 1328 of the student
12 achievement and support program contained within 2014
13 Wyoming Session Laws, Chapter 26, Section 2, Section 206,
14 and from amounts appropriated to the department by 2014
15 Wyoming Session Laws, Chapter 26, Section 2, Section 206,
16 Footnote 5, up to seven hundred fifty thousand dollars
17 (\$750,000.00) or as much thereof as is necessary, may be
18 expended by the department to provide a system of support
19 to school districts in conformance with W.S. 21-2-204(f).
20 The system shall be in place in sufficient time to provide
21 system support to districts based upon 2014 performance
22 ratings computed under W.S. 21-2-204(d). This appropriation
23 may be expended for acquisition of necessary professional

1 consulting expertise. The department shall report
2 expenditures of amounts appropriated under this subsection
3 to members of the select committee on statewide education
4 accountability and the joint appropriations interim
5 committee on or before December 31, 2015.

6
7 (b) The state board may from amounts appropriated to
8 the department by 2014 Wyoming Session Laws, Chapter 26,
9 Section 2, Section 206, Footnote 5, expend up to two
10 hundred fifty thousand dollars (\$250,000.00) for purposes
11 of providing support and administration of the assessment
12 taskforce established under Section 5 of this act. This
13 appropriation may be expended for acquisition of necessary
14 professional consulting expertise. The state board shall
15 report expenditures to the select committee on statewide
16 education accountability by not later than December 31,
17 2015. In addition to support provided under this
18 subsection to the state board of education, the legislative
19 service office, through acquired professional consulting
20 expertise, shall assist the department and state board in
21 carrying out the support and administration of the
22 assessment taskforce established under Section 5 of this
23 act.

1

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

10

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

15

16

(END)