

HOUSE BILL NO. HB0085

State education accountability and assessment-2.

Sponsored by: Select Committee on Statewide Education
Accountability

A BILL

for

1 AN ACT relating to education accountability; specifying
2 implementation and development of education accountability
3 addressing teacher and school leader evaluation; providing
4 for phase I school accountability implementation and
5 refinement; prescribing oversight and use of district
6 assessment systems in state accountability; modifying state
7 criteria for high school graduation; providing for
8 continuation of select accountability and advisory
9 committees; imposing reporting requirements; providing
10 appropriations; and providing for effective dates.

11

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

13

14 **Section 1.** W.S. 21-2-202(a)(xxx) and by creating a
15 new paragraph (xxxv), 21-2-204(f)(vi) and (vii) and

1 21-3-110(a) (xxix), as amended by 2013 Wyoming Session Laws,
2 Chapter 1, are amended to read:

3

4 **21-2-202. Duties of the director.**

5

6 (a) In addition to any other duties assigned by law,
7 the director shall:

8

9 (xxx) Effective school year 2012-2013 and each
10 school year thereafter, in consultation and coordination
11 with local school districts, by rule and regulation
12 establish a program of administering a standardized,
13 curriculum based, achievement college entrance examination,
14 computer-adaptive college placement assessment and a job
15 skills assessment test selected by the director to all
16 students in the eleventh and twelfth grades throughout the
17 state in accordance with this paragraph. The examinations
18 and tests selected by the director shall be administered
19 throughout the United States and shall be relied upon by
20 institutions of higher education. The college entrance
21 examination shall at a minimum test in the areas of
22 English, reading, writing, mathematics and science for all
23 students in grade eleven (11). The jobs skills assessment
24 test shall be optional for all students in grade ~~eleven~~

1 ~~(11)~~ twelve (12) and shall at a minimum test in the areas
2 of applied math, reading for information and locating
3 information. The director shall pay all costs associated
4 with administering the college entrance examination, the
5 computer-adaptive college placement assessment and the jobs
6 skills assessment test and shall schedule a day during
7 which examinations shall be provided. The date for
8 statewide administration of the college entrance
9 examination in grade eleven (11) shall be ~~selected so that~~
10 ~~following receipt of scores, students may timely register~~
11 ~~for senior year classes which may be necessary to allow the~~
12 ~~student to qualify for a state provided scholarship~~
13 established by the director that best meets the needs of
14 students and school districts. The computer adaptive
15 college placement assessment shall be optional and all
16 students in grade twelve (12) shall be provided at least
17 one (1) opportunity to take the assessment during the
18 school year. The director may enter into agreements with an
19 administrator of the college entrance examination and the
20 computer-adaptive college placement assessment and an
21 administrator of the jobs skills assessment test and adopt
22 rules as necessary to ensure compliance with any
23 requirements of an administrator, such as a secure
24 environment. Waivers may be granted for the examinations

1 and tests required by this paragraph for students with
2 disabilities in accordance with the provisions of the
3 federal No Child Left Behind Act of 2001 and the federal
4 Individuals with Disabilities Education Act. Alternate
5 assessments and accommodations shall be offered by the
6 director in accordance with rule and regulation;

7
8 (xxxv) Commencing school year 2014-2015, in
9 conjunction with the school district accreditation process
10 required under W.S. 21-2-304(a)(ii) and as a component of
11 the statewide education accountability system created under
12 W.S. 21-2-204, conduct a review of each school district
13 once every five (5) years to ensure alignment of its
14 curriculum plan and assessment system with the uniform
15 state education standards promulgated by the state board,
16 and to ensure district adherence to the uniform graduation
17 standards prescribed by the state board under W.S.
18 21-2-203(a)(iii). Reviews undertaken pursuant to this
19 paragraph, together with findings, shall be reported to the
20 state board and any deficiencies determined by the review
21 shall be addressed through the statewide system of support
22 established under W.S. 21-2-204(f).

23

1 **21-2-204. Wyoming Accountability in Education Act;**
2 **statewide education accountability system created.**

3
4 (f) A progressive multi-tiered system of support,
5 intervention and consequences to assist schools shall be
6 established by the director, and shall conform to the
7 January 2012 education accountability report as defined by
8 subsection (k) of this section. The system shall clearly
9 identify and prescribe the actions for each level of
10 support, intervention and consequence. Commencing with
11 school year 2014-2015, and each school year thereafter, the
12 director shall take action based upon system results
13 according to the following:

14
15 (vi) Schools designated as not meeting
16 expectations shall file an improvement plan in accordance
17 with paragraph (iv) of this subsection that identifies and
18 addresses all content and indicator areas where performance
19 is below target levels. In addition, the evaluation of a
20 district's student assessment system as provided by
21 paragraph (vii) of this subsection shall be undertaken in
22 that school year immediately following any school year in
23 which a school within the district has been designated as
24 not meeting expectations. The director shall appoint a

1 representative from the department in accordance with
2 paragraph (vii) of this subsection to assist in drafting
3 the improvement plan, including the selection of programs
4 and interventions to improve student performance. The
5 representative shall perform duties as required by
6 paragraph (v) of this subsection. The plan shall be
7 recommended by the school district superintendent and
8 approved by the local board of trustees prior to submission
9 to the department. The plan shall describe the personnel
10 and financial resources within the education resource block
11 grant model as defined by W.S. 21-13-101(a)(xiv) necessary
12 for implementation of the measures and methods chosen for
13 improvement and shall specify how resources shall be
14 reallocated, if necessary, to improve student performance;
15 ~~Failure to meet improvement goals as specified in the plan~~
16 ~~for two (2) consecutive years may be grounds for dismissal~~
17 ~~of the school principal;~~

18

19 (vii) A representative shall be appointed by the
20 director for all schools designated under paragraphs (iv)
21 through (vi) of this subsection to serve as a liaison
22 between the school district leadership and the department.
23 The representative shall be an employee of the department,
24 an employee of a Wyoming school district or any

1 combination, and may require more than one (1) individual
2 for schools requiring substantial intervention and support.
3 Additionally, one (1) representative may be assigned to
4 more than one (1) school. Among other duties as may be
5 requested by the district or department, the representative
6 shall review and approve improvement plans submitted by
7 schools in accordance with paragraphs (iv) through (vi) of
8 this subsection, and may review and evaluate district
9 student assessment systems implemented under W.S.
10 21-3-110(a)(xxiv) to ensure alignment with the uniform
11 state education standards. Requested resources for
12 improvement plan implementation, or the reallocation of
13 existing resources for plan implementation, shall be based
14 upon a comprehensive review of the available research.
15 Justification for resource allocation or reallocation shall
16 be incorporated within the written improvement plan. The
17 representative shall possess expertise appropriate to
18 particular strategies incorporated within improvement plans
19 to enable necessary plan evaluation, and shall be
20 commensurate with the level of intervention, support and
21 consequences to be administered under this subsection. The
22 director shall annually report to the state board on the
23 progress of each school in meeting annual goals and overall
24 improvement targets, fully describing the effectiveness and

1 deficiencies of efforts to improve school performance in
2 performance categories prescribed by this section;

3

4 **21-3-110. Duties of boards of trustees.**

5

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

8

9 (xxix) Beginning in school year 2012-2013, and
10 each school year thereafter, administer a program where all
11 students enrolled in the eleventh and twelfth grades in the
12 district shall be required to take or be provided the
13 opportunity to take, on a date specified by the director of
14 the department of education, a standardized, curriculum
15 based, achievement college entrance examination, a
16 computer-adaptive college placement assessment or for
17 students enrolled in twelfth grade, a jobs skills
18 assessment test in accordance with W.S. 21-2-202(a)(xxx).
19 Each school district shall provide the opportunity for all
20 home school and private school students in the eleventh and
21 twelfth grades and residing within the district to take the
22 examinations or for students in the twelfth grade, the jobs
23 skills assessment test, at no cost to the student on the
24 same date administered to all eleventh and twelfth grade

1 public school students in the state. The results of the
2 examinations or jobs skills assessment test taken shall be
3 included in each student's transcript;

4

5 **Section 2.** W.S. 21-2-204(d)(v), (vi), (e)(intro) and
6 (ii), 21-2-304(a)(iii)(intro), (B) and (iv)(intro) and
7 21-3-110(a)(xv), (xxiv), (xxv) and by creating a new
8 paragraph (xxxiii) are amended to read:

9

10 **21-2-204. Wyoming Accountability in Education Act;**
11 **statewide education accountability system created.**

12

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

21

22 (v) Not later than ~~thirty (30)~~ fifteen (15) days
23 after a ~~decision has been issued by the panel under~~
24 ~~paragraph (iv) of this subsection~~ school receives its final

1 rating or other performance determination from the
2 department of education, the school district may seek an
3 informal review with the state board. The state board
4 shall make a final determination as to the performance
5 rating or other performance determination within ~~sixty (60)~~
6 thirty (30) days after receipt of the request for review;

7

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

12

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

1 defined by subsection (k) of this section and shall be used
2 by the state board through the department to:

3

4 (ii) Further measure performance specified under
5 paragraph (i) of this subsection by identifying content
6 level performance in all areas specified by subsection (c)
7 of this section and from this analysis determine schools
8 that are exceeding, meeting, partially meeting or ~~are below~~
9 not meeting targets in each content area;

10

11 **21-2-304. Duties of the state board of education.**

12

13 (a) The state board of education shall:

14

15 (iii) By rule and regulation and in consultation
16 and coordination with local school districts, prescribe
17 uniform student content and performance standards for the
18 common core of knowledge and the common core of skills
19 specified under W.S. 21-9-101(b), and promulgate uniform
20 standards for programs addressing the special needs of
21 student populations specified under W.S. 21-9-101(c) that
22 ensure these student populations are provided the
23 opportunity to learn the common core of knowledge and
24 skills as prescribed by the uniform student content and

1 performance standards pursuant to this paragraph. Student
2 content and performance standards prescribed under this
3 paragraph shall include standards for graduation from any
4 high school within any school district of this state. ~~and~~
5 ~~shall describe required performance levels in order to~~
6 ~~achieve proficiency of the common core of knowledge and~~
7 ~~common core of skills prescribed under W.S. 21-9-101(b).~~
8 The ability to prescribe content and performance standards
9 shall not be construed to give the state board of education
10 the authority to prescribe textbooks or curriculum which
11 the state board is hereby forbidden to do. Graduation
12 standards imposed under this paragraph shall require the
13 successful completion of the following components, as
14 evidenced by passing grades or by the successful
15 performance on competency-based equivalency examinations:

16

17 (B) ~~Three (3)~~ Four (4) school years of
18 mathematics;

19

20 (iv) Effective school year 2013-2014, and each
21 school year thereafter, require district administration of
22 common benchmark adaptive assessments statewide in reading
23 and mathematics for grades one (1) through eight (8) in
24 accordance with W.S. 21-3-110(a)(xxiv). The board shall

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

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

7
8 **21-3-110. Duties of boards of trustees.**

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

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

21
22 (xxiv) Establish a student assessment system to
23 measure student performance relative to the uniform student
24 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
24 benchmark adaptive assessments for reading and mathematics

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

11

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

20

21 (xxxiii) Effective school year 2014-2015, in
22 conjunction with district accreditation, as a component of
23 the statewide education accountability system and in
24 accordance with W.S. 21-2-202(a)(xxxv), 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. 21-2-203(a)(iii).

7
8 **Section 3.** W.S. 21-2-202(a)(xxx) and by creating a
9 new paragraph (xxxv), 21-2-204(f)(vi) and (vii) and
10 21-3-110(a)(xxix), as in effect prior to the enactment of
11 2013 Wyoming Session Laws, Chapter 1, are amended to read:

12
13 **21-2-202. Duties of the state superintendent.**

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

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

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

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

18
19 (xxxv) Commencing school year 2014-2015, 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
24 once every five (5) years to ensure alignment of its

1 curriculum plan and assessment system with the uniform
2 state education standards promulgated by the state board,
3 and to ensure district adherence to the uniform graduation
4 standards prescribed by the state board under W.S.
5 21-2-203(a)(iii). Reviews undertaken pursuant to this
6 paragraph, together with findings, shall be reported to the
7 state board and any deficiencies determined by the review
8 shall be addressed through the statewide system of support
9 established under W.S. 21-2-204(f).

10
11 **21-2-204. Wyoming Accountability in Education Act;**
12 **statewide education accountability system created.**

13
14 (f) A progressive multi-tiered system of support,
15 intervention and consequences to assist schools shall be
16 established by the state board, and shall conform to the
17 January 2012 education accountability report as defined by
18 subsection (k) of this section. The system shall clearly
19 identify and prescribe the actions for each level of
20 support, intervention and consequence. Commencing with
21 school year 2014-2015, and each school year thereafter, the
22 state superintendent shall take action based upon system
23 results according to the following:

24

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

~~1 Failure to meet improvement goals as specified in the plan
2 for two (2) consecutive years may be grounds for dismissal
3 of the school principal,
4~~

5 (vii) A representative shall be appointed by the
6 state superintendent for all schools designated under
7 paragraphs (iv) through (vi) of this subsection to serve as
8 a liaison between the school district leadership and the
9 department. The representative shall be an employee of the
10 department, an employee of a Wyoming school district or any
11 combination, and may require more than one (1) individual
12 for schools requiring substantial intervention and support.
13 Additionally, one (1) representative may be assigned to
14 more than one (1) school. Among other duties as may be
15 requested by the district or department, the representative
16 shall review and approve improvement plans submitted by
17 schools in accordance with paragraphs (iv) through (vi) of
18 this subsection, and may review and evaluate district
19 student assessment systems implemented under W.S.
20 21-3-110(a)(xxiv) to ensure alignment with the uniform
21 state education standards. Requested resources for
22 improvement plan implementation, or the reallocation of
23 existing resources for plan implementation, shall be based
24 upon a comprehensive review of the available research.

1 Justification for resource allocation or reallocation shall
2 be incorporated within the written improvement plan. The
3 representative shall possess expertise appropriate to
4 particular strategies incorporated within improvement plans
5 to enable necessary plan evaluation, and shall be
6 commensurate with the level of intervention, support and
7 consequences to be administered under this subsection. The
8 state superintendent shall annually report to the state
9 board on the progress of each school in meeting annual
10 goals and overall improvement targets, fully describing the
11 effectiveness and deficiencies of efforts to improve school
12 performance in performance categories prescribed by this
13 section;

14

15 **21-3-110. Duties of boards of trustees.**

16

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

19

20 (xxix) Beginning in school year 2012-2013, and
21 each school year thereafter, administer a program where all
22 students enrolled in the eleventh and twelfth grades in the
23 district shall be required to take or be provided the
24 opportunity to take, on a date specified by the state

1 superintendent, a standardized, curriculum based,
2 achievement college entrance examination, a computer-
3 adaptive college placement assessment or for students
4 enrolled in twelfth grade, a jobs skills assessment test in
5 accordance with W.S. 21-2-202(a)(xxx). Each school
6 district shall provide the opportunity for all home school
7 and private school students in the eleventh and twelfth
8 grades and residing within the district to take the
9 examinations or for students enrolled in the twelfth grade,
10 the jobs skills assessment test, at no cost to the student
11 on the same date administered to all eleventh and twelfth
12 grade public school students in the state. The results of
13 the examinations or jobs skills assessment test taken shall
14 be included in each student's transcript;

15

16 **Section 4.** W.S. 21-2-204(d)(iv) and
17 21-2-304(a)(iv)(A) through (C) are repealed.

18

19 **Section 5.**

20

21 (a) Notwithstanding 2012 Wyoming Session Laws,
22 Chapter 101, Section 4(a), the select committee on
23 statewide education accountability shall continue through
24 December 31, 2014. 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 of the select committee, as
4 reconstituted under 2012 Wyoming Session Laws, Section
5 4(a), shall continue to serve on the select committee
6 through December 31, 2014, and shall receive compensation,
7 per diem and travel expense reimbursement in the manner and
8 amount prescribed under W.S. 28-5-101. As provided under
9 2011 Wyoming Session Laws, Chapter 184, Section 4, the
10 appointing authority for any member who vacates membership
11 shall fill the vacancy.

12

13 (b) Notwithstanding 2012 Wyoming Session Laws,
14 Chapter 101, Section 4(b), the advisory committee shall
15 continue to assist the select committee as the select
16 committee deems necessary through December 31, 2014. The
17 members appointed under 2011 Wyoming Session Laws, Chapter
18 184, Section 4(d), as amended by 2013 Wyoming Session Laws,
19 Chapter 195, Section 3, shall continue to serve on the
20 advisory committee. The appointing authority for any
21 member who vacates membership shall fill the vacancy. Any
22 member appointed to the advisory committee which is not an
23 employee of a governmental subdivision or a member of a
24 political subdivision, board or commission shall receive

1 per diem and travel expenses in the manner and amount
2 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, and 2013 Wyoming Session Laws, Chapter 167,
23 Section 3. Using the design framework for a teacher and
24 school district leader evaluation and accountability system

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

8

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

20

21 (ii) Identification of multiple measures of
22 professional practice for the evaluation of teacher and
23 school leader performance, including at minimum, classroom
24 observations and artifacts to document aspects of

1 professional practice, with specific artifacts to be
2 identified by each school district;

3

4 (iii) Articulation of the best practices for the
5 implementation and administration of the multiple measures
6 of professional practice to be used in performance
7 evaluation, with any deviation from the best practices to be
8 approved by the director of the department of education;

9

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

19

20 (v) Identification of performance standards
21 describing the quality necessary for high performing
22 teachers and leaders;

23

1 (vi) Use of common performance level descriptors
2 in all districts as a narrative component of the performance
3 standards that describe the key qualities differentiating
4 teachers and leaders at each of the various levels of
5 performance;

6

7 (vii) Use of a common decision matrix for
8 producing the final ratings for all teachers and leaders in
9 all districts.

10

11 (e) Using minimum requirements specified under 2012
12 Wyoming Session Laws, Chapter 101, Section 6(c), and the
13 design framework prescribed by 2013 Wyoming Session Laws,
14 Chapter 167, Section 3, the select committee, through the
15 advisory committee, and with the assistance of the
16 department of education, shall continue development,
17 refinement and piloting of the teacher and school district
18 leader evaluation and accountability system subject to the
19 following criteria:

20

21 (i) System implementation and administration
22 maximizing school district control over the evaluation
23 process to the greatest extent possible;

24

1 (ii) Teacher and leader evaluation comprised of:

2

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

5

6 (B) A process and methodology for teachers
7 to meaningfully evaluate their school building and school
8 district leadership on an individual basis;

9

10 (C) A process and methodology for building
11 leadership to meaningfully evaluate peers and district
12 leadership;

13

14 (D) Appropriate systems to maintain
15 anonymity for evaluations; and

16

17 (E) A procedure for reporting results of
18 evaluations on an individual basis to all stakeholders in a
19 transparent and timely manner.

20

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

23

1 (f) The advisory committee, together with the
2 department of education, shall periodically report to the
3 select committee on the implementation and piloting of the
4 teacher and leader evaluation and accountability system
5 pursuant to subsections (d) and (e) of this section.
6 Subject to timelines prescribed by 2013 Wyoming Session
7 Laws, Chapter 167, Section 3(d), system implementation and
8 administration shall address data and analytical needs and
9 district support mechanisms. On or before October 15,
10 2014, a final report shall be submitted to the select
11 committee by the advisory committee on findings pertaining
12 to system implementation, together with any
13 recommendations. Following receipt of this final report,
14 the select committee shall report findings and
15 recommendations to the legislature for consideration during
16 the 2015 general session, including necessary enabling
17 legislation.

18

19 **Section 6.**

20

21 (a) Not later than October 15, 2014, subject to
22 business rules and findings from administration of the
23 pilot phase I school accountability system under 2013
24 Wyoming Session Laws, Chapter 195, Section 5, the state

1 board of education, through the department, shall report to
2 the select committee on the administration of phase I of
3 the statewide education accountability system as
4 implemented in school year 2013-2014 pursuant to W.S.
5 21-2-204. The report shall include the measures used to
6 demonstrate school performance, the methodology used to
7 compute school performance and the target levels determined
8 by the board. In determining target levels for school
9 performance indicators, the board shall convene a
10 professional judgment panel to inform a deliberative
11 process on target determinations as authorized under W.S.
12 21-2-204(e), as amended by section 1 of this act. Any
13 professional judgment panel convened by the state board
14 under this subsection shall to the extent possible, include
15 a majority of those initial panel members appointed under
16 2012 Wyoming Session Laws, Chapter 101, Section 5(b)(ii),
17 or representatives from similar organizations or entities
18 of the initial panel members. The state board shall also
19 report school attainment of these performance levels.
20 Recommendations for refinement of any component of phase I
21 of the statewide accountability system may also be reported
22 under this subsection.

23

1 (b) Notwithstanding W.S. 21-2-204 and 21-2-304, the
2 state board and the department of education shall recommend
3 future statewide assessment system development and
4 components, to be reported to the select committee by
5 October 15, 2014.

6
7 (c) The state board and department of education, in
8 implementing W.S. 21-2-202, 21-2-304 and 21-3-110, as
9 amended by section 1 or 2 of this act, as applicable,
10 pertaining to school district assessment systems and high
11 school graduation requirements, shall periodically report
12 progress to the select committee. A report with final
13 recommendations on guidelines shall be included within the
14 October 15, 2014, report required under subsection (a) of
15 this section.

16
17 (d) Based upon the report submitted under this
18 section, the select committee shall report its findings and
19 recommendations to the Wyoming legislature prior to the
20 2015 general session, including implementing legislation
21 and a timeline for implementation when applicable.

22

23 **Section 7.**

24

1 (a) For the period commencing on the effective date
2 of this section and ending June 30, 2015, up to two hundred
3 fifty thousand dollars (\$250,000.00) is appropriated from
4 the school foundation program account to the department of
5 education to carry out duties imposed by this act upon the
6 department and the state board. This appropriation may be
7 expended for acquisition of necessary professional
8 consulting expertise. The department and state board shall
9 report expenditures of amounts appropriated under this
10 subsection to members of the select committee on statewide
11 education accountability on or before January 1, 2015.

12

13 (b) In addition to support provided to the state
14 board of education and the department of education under
15 subsection (a) of this section, the legislative service
16 office, through acquired professional consulting expertise,
17 shall assist the department and state board in carrying out
18 the provisions of this act.

19

20 (c) For the period beginning upon the effective date
21 of this section and ending June 30, 2015, thirty-five
22 thousand dollars (\$35,000.00) is appropriated from the
23 school foundation program account to the legislative
24 service office for necessary expenses of the select

1 committee on statewide education accountability and the
2 advisory committee continued under this act, as necessary
3 to carry out this act.

4

5 **Section 8.**

6

7 (a) Except as provided by subsection (b) of this
8 section, this act is effective immediately upon completion
9 of all acts necessary for a bill to become law as provided
10 by Article 4, Section 8 of the Wyoming Constitution.

11

12 (b) If a final order by the district court of Laramie
13 County, Wyoming, is issued implementing without change the
14 final ruling of the Wyoming Supreme Court issued January
15 28, 2014, in the case of Kerry and Clara Powers, on behalf
16 of themselves and the citizens of Wyoming, and Cindy Hill,
17 on behalf of herself and as the Superintendent of Public
18 Instruction v. State of Wyoming and Matthew H. Mead,
19 Governor, in his official capacity [Docket No. S-13-0052],
20 then upon expiration of time for appeal of that order, or
21 if appealed, upon issuance of a final order or mandate of
22 the Wyoming Supreme Court confirming the district court
23 final order, the Governor shall certify the entry of the
24 district court final order. The Governor shall immediately

1 file any certification under this section together with the
2 final order with the secretary of state. Upon filing the
3 certification with the secretary of state, W.S.
4 21-2-202(a)(xxx) and (xxxv), 21-2-204(f)(vi) and (vii) and
5 21-3-110(a)(xxix), as amended in section 3 of this act, are
6 effective and shall supersede W.S. 21-2-202(a)(xxx) and
7 (xxxv), 21-2-204(f)(vi) and (vii) and 21-3-110(a)(xxix), as
8 amended by section 1 of this act.

9

10

(END)