

SENATE FILE NO. SF0032

Alternative school accountability.

Sponsored by: Select Committee on Statewide Education
Accountability

A BILL

for

1 AN ACT relating to the Wyoming Education in Accountability
2 Act; exempting alternative schools from school level
3 determinations required under the Wyoming Accountability in
4 Education Act as specified; requiring assessment and
5 refinement of alternative school accountability indicators;
6 requiring a pilot of an alternative school accountability
7 model as specified; requiring professional judgement
8 panels; continuing operation of the alternative school
9 technical advisory group; continuing operation of the
10 select committee on statewide education accountability;
11 requiring reports; appropriating funds; and providing for
12 an effective date.

13

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

15

1 **Section 1.**

2

3 (a) The department of education shall commence
4 development of an alternative school level accountability
5 model to be piloted in school year 2016-2017. The model
6 shall adhere, as closely as possible, to the
7 recommendations contained in the "Wyoming Alternative
8 School Accountability Framework: Recommendations from the
9 Alternative Accountability Advisory Committee" report dated
10 October 15, 2015, submitted by the technical advisory group
11 pursuant to 2015 Wyoming Session Laws, Chapter 179, Section
12 5, to the select committee on statewide education
13 accountability, and any additional recommendations by the
14 technical advisory group in carrying out the duties
15 required by this act. The department of education shall
16 periodically report progress on development of the pilot
17 required under this subsection to the technical advisory
18 group, the select committee on statewide education
19 accountability and the joint education interim committee.
20 Data from the alternative schools operating in Wyoming
21 pursuant to W.S. 21-13-309(m)(v)(B) shall be utilized to
22 perform the pilot.

23

1 (b) For purposes of performing the pilot required by
2 subsection (a) of this section, school level performance
3 for alternative schools shall be determined by measurement
4 of performance indicators and attainment of student
5 performance. The indicators shall include academic
6 performance, college and career readiness, student
7 engagement and school climate. The indicators shall be
8 measured in the following manner:

9

10 (i) Academic performance shall be measured by
11 academic achievement and growth as specified by W.S.
12 21-2-204(c) (i) and (ii);

13

14 (ii) College and career readiness shall include
15 a measure of progress in earning credits towards graduation
16 and an attainment indicator to measure the extent to which
17 students graduate and earn accomplishments associated with
18 post secondary education;

19

20 (iii) Student engagement shall be measured by
21 attendance and a student success plan, consisting of a
22 student specific plan or set of objectives to accumulate

1 evidence of positive engagement within and across school
2 years;

3

4 (iv) School climate as measured by appropriate
5 survey measures to determine the quality and character of
6 school life.

7

8 (c) The department of education shall immediately
9 commence drafting of proposed business rules to govern the
10 pilot required under subsection (a) of this section and the
11 alternative school accountability model. The department
12 shall establish data collection requirements to populate
13 the alternative school accountability model appropriately.
14 The department shall also commence creation of an
15 appropriate proposal for the student success plan to be
16 incorporated into the alternative school accountability
17 model to measure student engagement. The department shall
18 adhere, as closely as possible, to the recommendations
19 contained in the "Wyoming Alternative School Accountability
20 Framework: Recommendations from the Alternative
21 Accountability Advisory Committee" report dated October 15,
22 2015, submitted by the technical advisory group, pursuant
23 to 2015 Wyoming Session Laws, Chapter 179, Section 5, to

1 the select committee on statewide education accountability,
2 and as may be modified by additional recommendations by the
3 technical advisory group in performance of the duties
4 required under this act. Not later than July 1, 2016, the
5 department of education shall submit a report to the
6 technical advisory group, the select committee on statewide
7 education accountability and the joint education interim
8 committee containing proposed business rules, data
9 collection requirements and a proposal for the student
10 success plan required under paragraph (b)(iii) of this
11 section. The report shall include any necessary
12 modifications to finalize the indicators provided under
13 subsection (b) of this section. The technical advisory
14 group shall provide any necessary feedback and
15 recommendations to the department of education, the select
16 committee on statewide education accountability and the
17 joint education interim committee within thirty (30) days
18 of receipt of the report.

19

20 (d) Not later than school year 2017-2018, the state
21 board of education, through the department, and with the
22 assistance of the technical advisory group, shall compile,
23 evaluate and determine the target levels for an overall

1 school performance rating and for content level performance
2 that are appropriate for alternative schools operating
3 pursuant to W.S. 21-13-309(m)(v)(B). The board shall
4 execute this determination through a prescribed
5 deliberative process informed by a panel comprised of
6 professionals with the appropriate expertise to establish
7 target levels for performance to appropriately distinguish
8 and recognize the varied levels of school performance
9 associated specifically with the operation of alternative
10 schools as measured by the indicators contained in
11 subsection (b) of this section. Performance level targets
12 shall be established to identify alternative school
13 performance levels for exceeding expectations, meeting
14 expectations, partially meeting expectations and not
15 meeting expectations. The state board shall report
16 periodically to the select committee on statewide education
17 accountability and the joint education interim committee on
18 the progress related to setting target levels associated
19 with school performance rating required under this
20 subsection and a final report shall be submitted no later
21 than October 15, 2018.

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1 (e) The state board of education shall, in
2 consultation with the technical advisory group, study and
3 develop recommendations related to the progressive
4 multi-tiered system of support, interventions and
5 consequences required under W.S. 21-2-204(f) specifically
6 targeted to assist alternative schools, as necessary, for
7 the four (4) levels of school performance to be established
8 under subsection (d) of this section. The state board shall
9 report any recommendations for modification, as may be
10 necessary, pursuant to this subsection, to the select
11 committee on statewide accountability and the joint
12 education interim committee, no later than October 15,
13 2018.

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15 (f) Notwithstanding any other provision of law, for
16 school years 2016-2017 and 2017-2018 only, alternative
17 schools operating under W.S. 21-13-309(m)(v)(B) shall
18 receive informational reporting under the Wyoming
19 Accountability in Education Act and shall be exempt from
20 school level performance ratings and aggregate district
21 scoring as computed and determined for schools in
22 accordance with W.S. 21-2-204(e) and reported under W.S.
23 21-2-204(h).

1

2

Section 2.

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4 (a) Notwithstanding 2015 Wyoming Session Laws,
5 Chapter 179, Section 5(a), the alternative school technical
6 advisory group shall continue to assist the select
7 committee on statewide education accountability as the
8 select committee deems necessary through December 31, 2018.
9 The technical advisory group shall review and provide
10 necessary feedback to the state board of education and the
11 department of education as necessary in carrying out the
12 duties assigned under section 1 of this act.

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14 (b) Any member appointed or serving on the technical
15 advisory group who is not an employee of a governmental
16 subdivision or political subdivision, board or commission
17 shall receive per diem and travel expenses in the manner
18 and amount provided to state employees under W.S. 9-3-103.
19 Reimbursement shall be from amounts appropriated under
20 section 4(b) of this act.

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22 (c) The legislative service office shall staff the
23 technical advisory group. The legislative service office

1 may retain consultants as necessary to staff and advise the
2 technical advisory group and the select committee on
3 statewide education accountability in execution of the
4 duties prescribed under this act. The management council
5 may expend funds appropriated by the legislature for
6 approved contractual agreements between the council and
7 professional consultants on behalf of the select committee.

8

9 **Section 3.**

10

11 (a) Notwithstanding any other provision of law, the
12 select committee on statewide education accountability as
13 created by 2011 Wyoming Session Laws, Chapter 184, Section
14 4 shall continue through December 31, 2018. The chairman
15 of the senate education committee and the chairman of the
16 house education committee shall continue to serve as
17 cochairmen of the select committee. Members of the select
18 committee shall be appointed as provided by 2011 Wyoming
19 Session Laws, Chapter 184, Section 4(b) to serve on the
20 select committee through December 31, 2018. Select
21 committee members shall receive compensation, per diem and
22 travel expense reimbursement in the manner and amount
23 prescribed under W.S. 28-5-101. Payment shall be from

1 amounts appropriated under section 4(c) of this act. The
2 appointing authority for any member who vacates membership
3 shall fill the vacancy.

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5 (b) Following receipt of the final reports required
6 under sections 1 and 2 of this act, the select committee on
7 statewide education accountability and the joint education
8 interim committee shall meet to consider the reports and
9 any necessary enabling legislation.

10

11 **Section 4.**

12

13 (a) For the period beginning upon the effective date
14 of this section and ending June 30, 2019, ten thousand
15 dollars (\$10,000.00) is appropriated from the school
16 foundation program account to the state board of education
17 to convene the panel of professionals, required under
18 section 1(d) of this act, to set target performance levels.
19 This appropriation may be expended for per diem and other
20 expenses of any member who serves on the panel of
21 professionals. Any member appointed or serving on the panel
22 who is not an employee of a governmental subdivision or a

1 member of a political subdivision, board or commission
2 shall receive per diem and travel expenses in the manner
3 and amount provided to state employees under W.S. 9-3-103.
4 Notwithstanding any other provision of law, the
5 appropriation under this subsection shall not be
6 transferred or expended for any purpose other than
7 specified in this subsection. Any unexpended, unobligated
8 funds remaining from the appropriation under this
9 subsection shall revert as provided by law on June 30,
10 2019. Not later than December 31, 2018, the state board
11 shall report expenditures of amounts appropriated under
12 this subsection to the select committee on statewide
13 education accountability and the joint education interim
14 committee.

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16 (b) For the period beginning upon the effective date
17 of this section and ending June 30, 2019, five thousand
18 dollars (\$5,000.00) is appropriated from the school
19 foundation program account to the state board of education
20 to provide support and administration of the technical
21 advisory group continued under section 2 of this act. This
22 appropriation may be expended for per diem and other
23 expenses of the technical advisory group. Any member

1 appointed or serving on a committee who is not an employee
2 of a governmental subdivision or a member of a political
3 subdivision, board or commission shall receive per diem and
4 travel expenses in the manner and amount provided to state
5 employees under W.S. 9-3-103. Notwithstanding any other
6 provision of law, the appropriation under this subsection
7 shall not be transferred or expended for any purpose other
8 than specified in this subsection. Any unexpended,
9 unobligated funds remaining from the appropriation under
10 this subsection shall revert as provided by law on June 30,
11 2019. Not later than December 31, 2018, the state board
12 shall report expenditures of amounts appropriated under
13 this subsection to the select committee on statewide
14 education accountability and the joint education interim
15 committee.

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17 (c) For the period beginning upon the effective date
18 of this act and ending June 30, 2019, seventy thousand
19 dollars (\$70,000.00) is appropriated from the school
20 foundation program account to the legislative service
21 office for necessary expenses of the select committee as
22 continued under section 3 of this act, as necessary to

1 carry out duties associated with the Wyoming Education in
2 Accountability Act and this act.

3

4 **Section 5.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law
6 as provided by Article 4, Section 8 of the Wyoming
7 Constitution.

8

9

(END)