

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.

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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.**

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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, six thousand five  
15 hundred dollars (\$6,500.00) 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 mileage  
20 of any member who serves on the panel of professionals. The  
21 amounts appropriated under this subsection shall not be  
22 expended to secure meeting space or to pay for food,

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

17

18 (b) For the period beginning upon the effective date  
19 of this section and ending June 30, 2019, three thousand  
20 five hundred dollars (\$3,500.00) is appropriated from the  
21 school foundation program account to the state board of  
22 education to provide support and administration of the  
23 technical advisory group continued under section 2 of this

1 act. This appropriation may be expended for per diem and  
2 mileage of the technical advisory group. The amounts  
3 appropriated under this subsection shall not be expended to  
4 secure meeting space or to pay for food, beverage or  
5 catering services. Any member appointed or serving on a  
6 committee who is not an employee of a governmental  
7 subdivision or a member of a political subdivision, board  
8 or commission shall receive per diem and mileage in the  
9 manner and amount provided to state employees under W.S.  
10 9-3-103. Notwithstanding any other provision of law, the  
11 appropriation under this subsection shall not be  
12 transferred or expended for any purpose other than  
13 specified in this subsection. Any unexpended, unobligated  
14 funds remaining from the appropriation under this  
15 subsection shall revert as provided by law on June 30,  
16 2019. Not later than December 31, 2018, the state board  
17 shall report expenditures of amounts appropriated under  
18 this subsection to the select committee on statewide  
19 education accountability and the joint education interim  
20 committee.

21

22 (c) For the period beginning upon the effective date  
23 of this act and ending June 30, 2019, seventy thousand

1 dollars (\$70,000.00) is appropriated from the school  
2 foundation program account to the legislative service  
3 office for necessary expenses of the select committee as  
4 continued under section 3 of this act, as necessary to  
5 carry out duties associated with the Wyoming Education in  
6 Accountability Act and this act.

7

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

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(END)