

SENATE FILE NO. SF0057

Education accountability.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to the Wyoming Accountability in Education  
2 Act; generally modifying the act and modifying the  
3 statewide assessment system and assessments used for  
4 statewide accountability; modifying duties and tasks of  
5 implementation and administration; authorizing rulemaking  
6 and requiring reporting; continuing the select committee on  
7 statewide education accountability and advisory committee;  
8 providing additional duties and assigning additional areas  
9 of accountability system study and development; 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)(xiv) and (xxx),  
15 21-2-204(b)(intro), by creating new paragraphs (iii)  
16 through (ix), (c), (d)(intro), (e), (f)(intro), by creating  
17 new paragraphs (iii) through (viii), by amending and

1 renumbering (iii) as (ix), (h) and by creating new  
2 subsections (j) and (k), 21-2-304(a)(iv)(intro),  
3 (v)(intro), (B), (D), (E), (H), (vi), (b)(xv), by creating  
4 a new paragraph (xvi) and by renumbering (xvi) as (xvii),  
5 21-3-110(a)(xvii) through (xix), (xxiv)(intro), (xxix),  
6 (xxx) and (b), 21-7-102(a)(ii)(A) and (B) and  
7 21-7-110(a)(vii) are amended to read:

8

9 **21-2-202. Duties of the state superintendent.**

10

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

13

14 (xiv) For purposes of the statewide assessment  
15 of students and reporting student performance under W.S.  
16 21-2-304(a)(v), have authority to assess and collect  
17 student educational assessment data from school districts,  
18 community colleges and the University of Wyoming. All data  
19 shall be consolidated, combined and analyzed in accordance  
20 with W.S. 21-2-204(h) and shall be provided within a  
21 reasonable time in accordance with rules and regulations of  
22 the state board; ~~In addition and pursuant to W.S.  
23 21-2-304(a)(vii) and 21-3-110(a)(xxiv)(B), effective school  
24 year 2012-2013, the state superintendent shall, through the~~

1 ~~department, receive scores for each student assessed by~~  
2 ~~each school district under the benchmark adaptive~~  
3 ~~assessment administered under W.S. 21-3-110(a)(xxiv)(B),~~  
4 ~~with appropriate linkages to teachers, schools and~~  
5 ~~districts, reported in formats and schedules established by~~  
6 ~~rule and regulation of the state board,~~

7  
8 (xxx) Effective school year ~~2006-2007~~ 2012-2013  
9 and each school year thereafter, in consultation and  
10 coordination with local school districts, by rule and  
11 regulation establish a program of administering a  
12 standardized, curriculum based, achievement college  
13 entrance examination and a job skills assessment test  
14 selected by the state superintendent to all students in the  
15 eleventh ~~grade~~ and twelfth grades throughout the state as  
16 provided in W.S. 21-3-110(a)(xxix), except that any student  
17 with an individual education plan may be excused from  
18 taking either the college entrance examination or the job  
19 skills test if the parent or guardian of the student  
20 submits a request for the excusal to the appropriate local  
21 school district authority. The examination and test  
22 selected by the state superintendent, shall be administered  
23 throughout the United States and shall be relied upon by  
24 institutions of higher education. The college entrance

1 examination shall at a minimum test in the areas of  
2 English, reading, ~~writing and~~ mathematics and science for  
3 both grades eleven (11) and twelve (12) and additionally,  
4 shall test writing in grade eleven (11). The jobs skills  
5 assessment test shall at a minimum test in the areas of  
6 applied math, reading for information and locating  
7 information. The state superintendent shall pay all costs  
8 associated with administering the college entrance  
9 examination and the jobs skills assessment test and shall  
10 schedule a day during which both examinations shall be  
11 provided ~~to~~ and one (1) shall be administered to all  
12 eleventh and twelfth grade students throughout the state.  
13 The college entrance examination may be administered to  
14 twelfth grade students on a different day than the day of  
15 administration to eleventh grade students. The date for  
16 administration in grade eleven (11) shall be selected so  
17 that following receipt of scores, students may timely  
18 register for senior year classes which may be necessary to  
19 allow the student to qualify for a state provided  
20 scholarship. The state superintendent may enter into  
21 agreements with an administrator of the college entrance  
22 examination and an administrator of the jobs skills  
23 assessment test and adopt rules as necessary to ensure

1 compliance with any requirements of an administrator, such  
2 as a secure environment;

3

4 **21-2-204. Wyoming Accountability in Education Act;**  
5 **statewide education accountability system created.**

6

7 (b) A statewide education accountability system shall  
8 be established in accordance with this section, which  
9 ~~considers use of~~ implements the components of the education  
10 resource block grant model as defined by W.S.  
11 21-13-101(a)(xiv) and as contained in Attachment "A" as  
12 defined under W.S. 21-13-101(a)(xvii). The first phase of  
13 this system shall be a school-based system that ~~includes is~~  
14 based on student performance as ~~measured~~ determined through  
15 multiple ~~indicators in those subjects for which students~~  
16 ~~are assessed as specified by this subsection, that are~~  
17 ~~reported in terms of student achievement at prescribed~~  
18 ~~performance levels, and that are aggregated to the school~~  
19 ~~level. Core indicators of student performance under the~~  
20 ~~first phase of the statewide school based accountability~~  
21 ~~system for each applicable school shall be~~ measures of  
22 school performance. The goals of the Wyoming Accountability  
23 in Education Act are to:

24

1           (iii) Become a national education leader among  
2 states;

3

4           (iv) Ensure all students leave Wyoming schools  
5 career or college ready;

6

7           (v) Recognize student growth and increase the  
8 rate of that growth for all students;

9

10          (vi) Recognize student achievement and minimize  
11 achievement gaps;

12

13          (vii) Improve teacher, school and district  
14 leader quality. School and district leaders shall include  
15 superintendents, principals and other district or school  
16 leaders serving in a similar capacity;

17

18          (viii) Maximize efficiency of Wyoming education;

19

20          (ix) Increase credibility and support for  
21 Wyoming public schools.

22

23          (c) School level performance ~~in reading shall be~~  
24 ~~measured by the statewide assessment system implemented by~~

1 ~~the state board of education under W.S. 21-2-304(a)(v).~~  
2 ~~Additional secondary school outcomes shall be measured in~~  
3 ~~accordance with subsection (d) of~~ shall be determined by  
4 measurement of performance indicators and attainment of  
5 student performance as specified by this section. To the  
6 extent applicable, each measure shall be aggregated to the  
7 school level based upon those grades served inclusive to  
8 each school as reported by the respective school district  
9 to the department of education. The indicators of school  
10 level performance shall be:

11  
12 (i) Student longitudinal academic growth in  
13 reading and mathematics and student academic achievement in  
14 the following:

15  
16 (A) As measured by the statewide assessment  
17 as administered under W.S. 21-2-304(a)(v):

18  
19 (I) Reading and mathematics in grades  
20 three (3) through seven (7);

21  
22 (II) Science once in grades three (3)  
23 through five (5) and once in grades six (6) through eight  
24 (8) in school year 2012-2013, and in grades three (3)

1 through seven (7) in school year 2013-2014 and each school  
2 year thereafter;

3

4 (III) Writing and language in grades  
5 four (4), six (6) and eight (8).

6

7 (B) Reading, mathematics and science in  
8 grades eight (8) and eleven (11), and writing in grade  
9 eleven (11), all as measured by a standardized college  
10 readiness test.

11

12 (ii) Readiness, as defined by a standardized  
13 college readiness test covering English, reading,  
14 mathematics and science, with school level results  
15 aggregated according to a procedure in which values and  
16 weights are determined by a deliberative method tied to  
17 specific definitions of post secondary readiness,  
18 administered as follows:

19

20 (A) In the spring semester in grades eight  
21 (8) and nine (9);

22

23 (B) In grade ten (10).

24



1           (iii) Readiness, as defined by a standardized  
2 achievement college entrance examination administered  
3 pursuant to W.S. 21-2-202(a)(xxx) in grades eleven (11) and  
4 twelve (12), covering at a minimum English, reading,  
5 writing, mathematics and science in grade eleven (11), and  
6 English, reading, mathematics and science in grade twelve  
7 (12), with school level results aggregated according to a  
8 procedure in which values and weights determined by a  
9 deliberate method are tied to specific definitions of post  
10 secondary readiness;

11  
12           (iv) Readiness, as defined by graduation or high  
13 school completion rates.

14  
15           (d) Beginning in school year ~~2011-2012~~ 2012-2013, and  
16 each school year thereafter, the department of education  
17 shall compute ~~a combined~~ and report an overall school ~~score~~  
18 ~~for performance rating measured by~~ student performance ~~in~~  
19 ~~the core on those performance~~ indicators specified under  
20 subsection ~~(b)~~ (c) of this section. ~~as follows:~~ Any school  
21 through its school district may seek informal review of any  
22 overall school performance rating or other performance  
23 determination rendered by the panel established by the  
24 state board under subsection (e) of this section. The

1 school through its district may also seek informal review  
2 of any determination by the panel following an informal  
3 review by filing a request with the state board. The state  
4 board shall promulgate rules and regulations governing the  
5 informal review process before both the panel and the board  
6 as conducted under this subsection.

7  
8 (e) The state board shall compile, evaluate and  
9 determine the target levels for an overall school  
10 performance rating and for content level performance. This  
11 determination by the board shall be developed through a  
12 prescribed deliberative process informed by a panel  
13 comprised of broad based representation from both public  
14 education and the community at-large. The target level  
15 levels for ~~student-school~~ performance ~~under the first phase~~  
16 ~~of the statewide accountability system shall be positive~~  
17 ~~progress~~ on all ~~core~~ performance indicators measured under  
18 subsection ~~(d)~~ (c) of this section- shall conform to the  
19 January 2012 education accountability report as defined by  
20 subsection (k) of this section and shall be used by the  
21 state board to:

22

1           (i) Identify four (4) levels of school  
2 performance tied to the overall school performance rating  
3 that demonstrate a range of performance levels as follows:

4  
5           (A) Exceeding expectations including those  
6 schools performing above standards in all measured areas;

7  
8           (B) Meeting expectations;

9  
10          (C) Partially meeting expectations; and

11  
12          (D) Not meeting expectations.

13  
14          (ii) Further measure performance specified under  
15 paragraph (i) of this subsection by identifying content  
16 level performance in all areas specified by subsection (c)  
17 of this section and from this analysis determine schools  
18 that are exceeding, meeting or are below targets in each  
19 content area;

20  
21          (iii) Coordinate the target levels, school and  
22 content level determinations with the availability of the  
23 system of support, interventions and consequences

1 administered in accordance with subsection (f) of this  
2 section.

3

4 (f) A progressive multi-tiered system of support,  
5 intervention and consequences to assist schools shall be  
6 established by the state board 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 2013-2014, and each school year thereafter, ~~any~~  
12 ~~school that fails to meet the computed school improvement~~  
13 ~~targets established under subsection (e) of this section~~  
14 ~~shall be subject to~~ the state superintendent shall take  
15 action based upon system results according to the  
16 following:

17

18 (iii) Schools designated as exceeding  
19 expectations shall file a communication plan with the  
20 school district superintendent and the department to  
21 document effective practices and to communicate effective  
22 practices with other schools in the state;

23

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

20  
21           (v) Schools designated as partially meeting  
22 expectations shall file an improvement plan in accordance  
23 with paragraph (iv) of this subsection that identifies and  
24 addresses all content areas where performance is below

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

13  
14 (vi) Schools designated as not meeting  
15 expectations shall file an improvement plan in accordance  
16 with paragraph (iv) of this subsection that identifies and  
17 addresses all content areas where performance is below  
18 target levels. The state superintendent shall appoint a  
19 representative from the department in accordance with  
20 paragraph (vii) of this subsection to assist in drafting  
21 the improvement plan, including the selection of programs  
22 and interventions to improve student performance. The  
23 representative shall perform duties as required by  
24 paragraph (v) of this subsection. The plan shall be

1 approved by the local board of trustees and submitted to  
2 the school district superintendent prior to submission to  
3 the department. The plan shall describe the personnel and  
4 financial resources within the education resource block  
5 grant model as defined by W.S. 21-13-101(a)(xiv) necessary  
6 for implementation of the measures and methods chosen for  
7 improvement and shall specify how resources shall be  
8 reallocated, if necessary, to improve student performance.  
9 Failure to meet improvement goals as specified in the plan  
10 for two (2) consecutive years may be grounds for dismissal  
11 of the school principal pursuant to W.S. 21-7-110;

12  
13 (vii) A representative shall be appointed by the  
14 state superintendent for all schools designated under  
15 paragraphs (iv) through (vi) of this subsection to serve as  
16 a liaison between the school district leadership and the  
17 department. The representative shall be an employee of the  
18 department, an employee of a Wyoming school district or any  
19 combination, and may constitute more than one (1)  
20 individual for schools requiring substantial intervention  
21 and support. Additionally, one (1) representative may be  
22 assigned to more than one (1) school. Among other duties  
23 as may be requested by the district or department, the  
24 representative shall review and approve improvement plans

1 submitted by schools in accordance with paragraphs (iv)  
2 through (vi) of this subsection. 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 (viii) To the extent permitted by law and rule  
21 and regulation, plans submitted in compliance with  
22 paragraphs (iii) through (vi) of this subsection shall  
23 serve to comply with similar requirements administered by  
24 the state superintendent and the department, and the state



1 board shall ensure the plans minimize submission of  
2 duplicative information, material and the administrative  
3 burdens placed upon schools. All plans submitted under  
4 this subsection shall be made available for public  
5 inspection through internet access as defined by W.S.  
6 9-2-1035(a)(iii);

7

8 ~~(iii)~~(ix) In addition to ~~paragraph (ii)~~ paragraphs  
9 (iii) through (viii) of this subsection, the state board  
10 shall administer this subsection as part of school district  
11 accreditation required under W.S. 21-2-304(a)(ii), through  
12 appropriate administrative action taken in accordance with  
13 W.S. 21-2-304(b)(ii).

14

15 (h) Measured performance results obtained and  
16 collected pursuant to this section, together with  
17 subsequent actions responding to results, shall be combined  
18 with other information and measures maintained and acquired  
19 under W.S. 21-2-202(a)(xxi), 21-2-304(a)(v)(H),  
20 21-3-110(a)(xxiv) and otherwise by law, to be used as the  
21 basis of a statewide system for providing periodic and  
22 uniform reporting on the progress of state public education  
23 achievement compared to established targets. The statewide  
24 accountability system shall include a process for

1 consolidating, coordinating and analyzing existing  
2 performance data and reports for purposes of aligning with  
3 the requirements of this section and for determinations of  
4 student achievement incorporated into the statewide system.

5 In establishing a reporting system under this subsection,  
6 the state board shall describe the performance of each  
7 public school in Wyoming. The performance report shall:

8

9 (i) Include an overall school performance rating  
10 along with ratings for each of the indicators in the  
11 accountability system that:

12

13 (A) Supports the overall school performance  
14 rating; and

15

16 (B) Provides detailed information for  
17 analysis of school performance on the various components of  
18 the system.

19

20 (ii) Be disaggregated as appropriate by content  
21 level, target level, grade level and appropriate subgroups  
22 of students. For purposes of this paragraph, reported  
23 subgroups of students shall include at minimum,  
24 economically disadvantaged students, English language

1 learners, identified racial and ethnic groups and students  
2 with disabilities; and

3  
4 (iii) Provide longitudinal information to track  
5 student performance on a school, district and statewide  
6 basis;

7  
8 (iv) Provide valid and reliable data on the  
9 operation and impact of the accountability system  
10 established under this section for use by the legislature  
11 to analyze system effectiveness and to identify system  
12 improvements that may be necessary.

13  
14 (j) Beginning school year 2013-2014 and each school  
15 year thereafter, the state board shall annually review the  
16 statewide education accountability system, including but  
17 not limited to a review of the appropriateness of the  
18 performance indicators, the measures used to demonstrate  
19 performance, the methods used to calculate school  
20 performance, the target levels and statewide, district and  
21 school attainment of those levels and the system of  
22 support, intervention and consequences. Not later than  
23 September 1, 2014, and each September 1 thereafter, the  
24 state board shall report to the joint education interim

1 committee on the information required under this subsection  
2 and the results of the accountability system for each  
3 school in the state.

4  
5 (k) As used in this section, the "January 2012  
6 education accountability report" means the report prepared  
7 by legislative consultants submitted to and approved by the  
8 legislature that addresses phase one of the statewide  
9 accountability in education system and establishes the  
10 design framework for this system. The report is on file  
11 with and available for public inspection from the  
12 legislative service office.

13  
14 **21-2-304. Duties of the state board of education.**

15  
16 (a) The state board of education shall:

17  
18 (iv) Establish, in consultation with local  
19 school districts, requirements for students to earn a high  
20 school diploma as measured by each district's ~~body of~~  
21 ~~evidence~~ assessment system prescribed by rule and  
22 regulation of the state board and required under W.S.  
23 21-3-110(a)(xxiv). Beginning school year 2014-2015, and  
24 each school year thereafter, the state board shall annually

1 review and approve each district's assessment system  
2 designed to determine the various levels of student  
3 performance. Effective school year 2013-2014, and each  
4 school year thereafter, the state board shall require  
5 district administration of common interim benchmark  
6 assessments statewide in grades three (3) through eight (8)  
7 in accordance with W.S. 21-3-110(a)(xxiv). A high school  
8 diploma shall provide for one (1) of the following  
9 endorsements which shall be stated on the transcript of  
10 each student:

11

12 (v) Through the state superintendent and in  
13 consultation and coordination with local school districts,  
14 implement a statewide assessment system comprised of a  
15 coherent system of measures that when combined, provide a  
16 reliable and valid measure of individual student  
17 achievement for each public school and school district  
18 within the state, and the performance of the state as a  
19 whole. Statewide assessment system components shall be in  
20 accordance with requirements of the statewide education  
21 accountability system pursuant to W.S. 21-2-204.  
22 Improvement of teaching and learning in schools, attaining  
23 student achievement targets for ~~core~~performance indicators  
24 established under W.S. 21-2-204 and fostering school

1 program improvement shall be the primary purposes of  
2 statewide assessment of student performance in Wyoming.  
3 The statewide assessment system shall:

4  
5 (B) Effective school year 2012-2013, and  
6 each school year thereafter, be administered ~~at appropriate~~  
7 ~~levels at~~ in specified grades ~~and at appropriate intervals~~  
8 aligned to the student content and performance standards,  
9 specifically ~~assessing student performance in reading and~~  
10 ~~mathematics at grades four (4), eight (8) and eleven (11),~~  
11 ~~and effective school year 2005-2006, and each school year~~  
12 ~~thereafter,~~ assessing student performance in reading and  
13 mathematics at grades three (3) through ~~eight (8) and at~~  
14 ~~grade eleven (11)~~ seven (7). In addition, ~~and commencing~~  
15 ~~school year 2007-2008 and each school year thereafter,~~ the  
16 statewide assessment system shall assess student  
17 performance in science not less than once within each grade  
18 band for grades three (3) through five (5), and grades six  
19 (6) through eight (8). ~~and grades ten (10) through twelve~~  
20 ~~(12).~~ Effective school year 2013-2014 and each school year  
21 thereafter, the statewide assessment system shall assess  
22 student performance in science at grades three (3) through  
23 seven (7). As a component of the statewide assessment  
24 system but separately administered, the statewide writing

1 and language assessment shall be a valid and reliable  
2 measure of student writing and language according to the  
3 writing and language content and performance standards  
4 promulgated under paragraph (iii) of this subsection  
5 implementing the common core of knowledge and skills as  
6 required by W.S. 21-9-101, and shall allow for monitoring  
7 and evaluation of annual trends in student and school level  
8 writing and language performance. Effective school year  
9 2013-2014 and each school year thereafter, the statewide  
10 writing and language assessment shall be administered to  
11 grades four (4), six (6) and eight (8). The structure and  
12 design of the assessment system shall allow for the  
13 comprehensive measurement of student performance through  
14 assessments that are administered each school year  
15 simultaneously on a statewide basis, with the writing and  
16 language assessment administered separately statewide;

17

18 (D) Measure year-to-year changes in student  
19 performance and progress in the subjects specified under  
20 subparagraph (a) (v) (B) of this section, and not later than  
21 school year 2013-2014, link student performance and  
22 progress to teachers of record ~~and compare and evaluate~~  
23 ~~student achievement during the process of student~~  
24 ~~advancement through grade levels~~ and school and district

1 leaders, including superintendents, principals and other  
2 district or school leaders serving in a similar capacity.

3 The assessment system shall ensure the integrity of student  
4 performance measurements used at each grade level to enable  
5 valid year-to-year comparisons and shall be sufficient to  
6 capture necessary data to enable application of measures of  
7 ~~core~~ performance indicators as required under W.S.  
8 21-2-204;

9  
10 (E) Include multiple measures and item  
11 types to ensure alignment to the statewide content and  
12 performance standards, including grade appropriate open  
13 response tasks, constructed and extended response items as  
14 appropriate and multiple choice items; ~~to ensure alignment~~  
15 ~~to the statewide student content and performance standards;~~

16  
17 (H) Provide a measure of accountability to  
18 enhance learning in Wyoming and in combination with other  
19 measures and information, assist school districts in  
20 determining individual student progress as well as school  
21 level achievement, growth and readiness targets. In  
22 addition to reporting requirements imposed under W.S.  
23 21-2-204, the assessment results shall be reported to  
24 students, parents, schools, school districts and the public



1 in an accurate, complete and timely manner. The reporting  
2 system, using data visualization techniques, shall include  
3 the development of individual longitudinal student-level  
4 reports of assessment and other relevant readiness  
5 indicators that provide information to parents, teachers  
6 and other school personnel regarding student progress  
7 toward college and career readiness and other relevant  
8 outcomes. Assessment results shall be used in conjunction  
9 with ~~a~~each school district's ~~annual assessment~~assessments  
10 to design educational strategies for improvement and  
11 enhancement of student performance required under W.S.  
12 21-2-204. Assessment results shall also be used to guide  
13 actions by the state board and the department in providing  
14 and directing a progressive multi-tiered system of support,  
15 intervention and ~~technical assistance~~consequences to  
16 districts in developing school ~~turn around~~improvement  
17 plans in response to student performance to attain target  
18 ~~indicators~~levels measured and established under W.S.  
19 21-2-204. In consultation and coordination with school  
20 districts, the board shall subject to W.S. 21-2-204, review  
21 and evaluate the assessment system regularly and based upon  
22 uniform statewide reports, annually report to the  
23 legislature as required under W.S. 21-2-204.

24

1           (vi) Subject to and in accordance with W.S.  
2 21-2-204, through the state superintendent and in  
3 consultation and coordination with local school districts,  
4 by rule and regulation implement a statewide accountability  
5 system. The accountability system shall include a  
6 technically defensible approach to calculate achievement,  
7 growth and readiness as required by W.S. 21-2-204. The  
8 state board shall establish performance targets as required  
9 by W.S. 21-2-204(e), establish a progressive multi-tiered  
10 system of supports, interventions and consequences as  
11 required by W.S. 21-2-204(f) and shall establish a  
12 statewide reporting system pursuant to W.S. 21-2-204(h).  
13 The system created shall conform to the January 2012  
14 education accountability report as defined by W.S.  
15 21-2-204(k). In addition and for purposes of complying with  
16 requirements under the federal No Child Left Behind Act of  
17 2001, the board shall by rule and regulation provide for  
18 annual accountability determinations based upon adequate  
19 yearly progress measures imposed by federal law for all  
20 schools and school districts imposing a range of  
21 educational consequences and supports resulting from  
22 accountability determinations;  
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, 2013, promulgate  
6 rules and regulations for the ~~development, assessment and~~  
7 ~~approval of implementation and administration of an~~ annual  
8 school district teacher performance evaluation ~~systems~~  
9 system based in part upon defined student academic ~~growth~~  
10 performance measures as prescribed by law and upon  
11 longitudinal data systems linking student achievement with  
12 teachers of record.7 The evaluation system shall clearly  
13 ~~prescribing~~ prescribe standards for ~~satisfactory~~ highly  
14 effective, effective and ~~unsatisfactory~~ ineffective  
15 performance and define teacher of record for purposes of  
16 the teacher and school district leader evaluation and  
17 accountability system. Rules and regulations adopted under  
18 this paragraph shall to the extent ~~student achievement~~  
19 ~~measures are~~ the statewide accountability system is not  
20 compromised, ~~provide district ability to include a portion~~  
21 ~~of an evaluation system designed to address~~ allow districts  
22 the opportunity to refine the system to meet the individual  
23 needs of the district. The performance evaluation system  
24 shall also include reasonable opportunity for state and

1 district provision of mentoring and other professional  
2 development activities made available to teachers  
3 performing unsatisfactorily, which are designed to improve  
4 instruction and student achievement;

5  
6 (xvi) Not later than July 1, 2013, promulgate  
7 rules and regulations for implementation and administration  
8 of an annual performance evaluation system for school and  
9 district leadership, including superintendents, principals  
10 and other district or school leaders serving in a similar  
11 capacity. The performance evaluation system shall include  
12 reasonable opportunity for state and district provision of  
13 mentoring and other professional development activities  
14 made available to district administrative personnel  
15 performing unsatisfactorily, designed to improve  
16 leadership, management and student achievement;

17  
18 ~~(xvi)~~ (xvii) Through the state superintendent,  
19 implement, administer and supervise education programs and  
20 services for adult visually handicapped and adult hearing  
21 impaired persons within the state.

22  
23 **21-3-110. Duties of boards of trustees.**

24

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

3

4                   (xvii) Not later than school year 2013-2014 and  
5 each school year thereafter, require the performance of  
6 each initial contract teacher to be evaluated in writing at  
7 least twice annually based in part upon student achievement  
8 measures as prescribed by rule and regulation of the state  
9 board under W.S. 21-2-304(b)(xv). The teacher shall  
10 receive a copy of each evaluation of his performance;

11

12                   (xviii) Not later than school year 2013-2014 and  
13 each school year thereafter, establish a teacher  
14 performance evaluation system and require the performance  
15 of each continuing contract teacher to be evaluated in  
16 writing at least once each year based in part upon student  
17 achievement measures as prescribed by rule and regulation  
18 of the state board under W.S. 21-2-304(b)(xv). The teacher  
19 shall receive a copy of each evaluation of his performance;

20

21                   (xix) Not later than school year 2013-2014 and  
22 each school year thereafter, based in part upon student  
23 achievement measures established by the state board of  
24 education under W.S. 21-2-304(b)(xv), performance

1 evaluations shall serve as a basis for improvement of  
2 instruction, enhancement of curriculum program  
3 implementation, measurement of both individual teacher  
4 performance and professional growth and development and the  
5 performance level of all teachers within the school  
6 district, and as documentation for unsatisfactory  
7 performance for dismissal, suspension and termination  
8 proceedings under W.S. 21-7-110;

9

10 (xxiv) Establish a student assessment system to  
11 measure student performance relative to the uniform student  
12 content and performance standards in all content areas for  
13 which the state board has promulgated standards pursuant to  
14 W.S. 21-2-304(a)(iii). To the extent required by W.S.  
15 21-2-204 and 21-2-304(a)(vii), the district assessment  
16 system shall be integrated with the statewide assessment  
17 system and the statewide accountability system. Components  
18 of the district assessment system required by this  
19 paragraph shall ~~include the following:~~ be designed and used  
20 to determine the various levels of student performance and  
21 attainment of high school graduation as described in the  
22 uniform student content and performance standards relative  
23 to the common core of knowledge and skills prescribed under  
24 W.S. 21-9-101(b). Beginning school year 2014-2015 and each

1 school year thereafter, the district shall on or before  
2 August 1, report to the state board in accordance with W.S.  
3 21-2-304(a)(iv) on its assessment system established under  
4 this paragraph. Beginning school year 2013-2014 and each  
5 school year thereafter, a component of the district  
6 assessment system shall include common interim benchmark  
7 assessments in grades three (3) through eight (8), common  
8 to all districts statewide, which are administered in  
9 grades three (3) through eight (8) at least three (3) times  
10 during any one (1) school year. An additional component of  
11 the district assessment system shall include common  
12 benchmark assessments administered for summer school and  
13 extended day intervention and remediation programs in  
14 accordance with W.S. 21-13-334(h)(iv);

15

16 (xxix) Beginning in ~~the spring semester 2007~~  
17 school year 2012-2013, and each ~~spring semester school year~~  
18 thereafter, administer a program where all students  
19 enrolled in the eleventh ~~grade~~ and twelfth grades in the  
20 district shall be required to take, on a date specified by  
21 the state superintendent, either a standardized, curriculum  
22 based, achievement college entrance examination or a jobs  
23 skills assessment test in accordance with W.S.  
24 21-2-202(a)(xxx). Each school district shall provide the

1 opportunity for all home school and private school students  
2 in the eleventh ~~grade~~ and twelfth grades and residing  
3 within the district to take either the examination or the  
4 jobs skills assessment test one (1) time at no cost to the  
5 student on the same date the examination and test are  
6 administered to all eleventh and twelfth grade public  
7 school students in the state. The results of the  
8 examination or jobs skills assessment test taken shall be  
9 included in each student's transcript;

10

11 (xxx) Not later than school year 2013-2014 and  
12 each school year thereafter, in addition to paragraphs  
13 (xvii), (xviii) and (xix), require the performance of each  
14 school ~~principal~~ district leader, including superintendents  
15 and principals and other district or school leaders serving  
16 in a similar capacity to be evaluated ~~by the district~~  
17 ~~superintendent~~ in accordance with the statewide education  
18 accountability system established under W.S. 21-2-204. Not  
19 later than August 15, 2014 and each school year thereafter,  
20 in accordance with rules and regulations of the state  
21 board, the district board shall also provide the state  
22 board written reports verifying ~~principal~~ school district  
23 leader performance and providing performance scores  
24 necessary for continued employment;



1

2 (b) On or before April 15, ~~of each school year, 2014~~  
3 and each school year thereafter, each school district  
4 superintendent shall provide a report to the board of  
5 trustees identifying all teachers and school and district  
6 leaders within the district whose performance, through  
7 evaluations conducted under paragraphs (a)(xvii) through  
8 (xix) and (xxx) of this section, has been determined  
9 inadequate or unsatisfactory for that school year. The  
10 report shall include a summary of mentoring and other  
11 professional development activities made available to the  
12 identified school and district leaders and teachers to  
13 improve instruction and student achievement. Not later  
14 than June 1, ~~of each school year 2014 and each school year~~  
15 thereafter, the board shall file a report with the  
16 department of education certifying compliance with this  
17 subsection.

18

19 **21-7-102. Definitions.**

20

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

23

24 (ii) "Continuing Contract Teacher":

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23

(A) Any initial contract teacher who has been employed by the same school district in the state of Wyoming for a period of three (3) consecutive school years, ~~has performed satisfactorily on performance evaluations implemented by the district under W.S. 21-3-110(a)(xvii) during this period of time and~~ has had his contract renewed for a fourth consecutive school year and, beginning school year 2013-2014 and each school year thereafter, has performed satisfactorily on performance evaluations implemented by the district under W.S. 21-3-110(a)(xvii) during this period of time; or

(B) A teacher who has achieved continuing contract status in one (1) district, and who without lapse of time has taught two (2) consecutive school years and has had his contract renewed for a third consecutive school year by the employing school district, and, beginning school year 2013-2014 and each school year thereafter, has performed satisfactorily on performance evaluations conducted by both districts under W.S. 21-3-110(a)(xvii) during this period of time.

1           21-7-110. Suspension or dismissal of teachers;  
2 notice; hearing; independent hearing officer; board review  
3 and decision; appeal.

4  
5           (a) The board may suspend or dismiss any teacher, or  
6 terminate any continuing contract teacher, for any of the  
7 following reasons:

8  
9                   (vii) Beginning school year 2013-2014 and each  
10 school year thereafter, inadequate performance as  
11 determined through annual performance evaluation tied to  
12 student academic growth completed in accordance with W.S.  
13 21-3-110(a)(xvii) through (xix);

14  
15           **Section 2.** W.S. 21-2-204(b)(i), (ii), (d)(i) through  
16 (iii), (f)(i) and (ii), 21-2-304(a)(vii),  
17 21-3-110(a)(xxiv)(A) and (B) and 2011 Wyoming Session Laws,  
18 Chapter 184, Section 4(g) and (h) and Section 5(a) and  
19 (b)(v) are repealed.

20  
21           **Section 3.**

22  
23           (a) Notwithstanding 2011 Wyoming Session Laws,  
24 Chapter 184, Section 5(b)(v), the state board shall, in

1 accordance with and as a part of the statewide assessment  
2 system administered in accordance with W.S. 21-2-304(a)(v),  
3 as amended under section 1 of this act, establish a  
4 separate writing and language assessment to be implemented  
5 and administered statewide in school year 2013-2014 and  
6 each school year thereafter. The assessment shall be a  
7 valid and reliable measure of student writing and language  
8 according to the writing and language content and  
9 performance standards adopted by the state board under W.S.  
10 21-2-304(a)(iii), shall allow for monitoring and evaluation  
11 of trends in writing and language performance on an  
12 individual student and school basis, and shall weight  
13 language, including conventions, spelling, punctuation and  
14 grammar, at twenty-five percent (25%) and grade the  
15 remaining seventy-five percent (75%) on an individual  
16 student written product to arrive at a combined student  
17 score. The separate statewide writing assessment shall be  
18 administered in grades four (4), six (6) and eight (8) each  
19 year on one (1) day, not to exceed a total of two (2) hours  
20 thirty (30) minutes of assessment time for any grade  
21 specified in this subsection during any statewide  
22 administration. The state board shall report to the select  
23 committee on statewide education accountability not later  
24 than July 1, 2013 on the progress of the writing and

1 language assessment required by this subsection and W.S.  
2 21-2-304(a)(v), as amended by section 1 of this section.

3

4 (b) In addition to subsection (a) of this section,  
5 the state board, through the department of education, shall  
6 commence development of a statewide assessment system  
7 complying with the requirements imposed under W.S.  
8 21-2-304(a)(v), as amended by section 1 of this act. The  
9 state board shall periodically report to the select  
10 committee on progress on assessment development under this  
11 act, and shall at minimum report to the select committee  
12 prior to issuing any request for proposal or contract  
13 amendment to commence assessment system development and  
14 implementation.

15

16 **Section 4.**

17

18 (a) Notwithstanding 2011 Wyoming Session Laws,  
19 Chapter 184, Section 4, the select committee on statewide  
20 education accountability shall continue through December  
21 31, 2013. The chairman of the senate education committee  
22 and the chairman of the house education committee shall  
23 continue to serve as cochairmen of the select committee.  
24 The members appointed under 2011 Wyoming Session Laws,

1 Chapter 184, Section 4(b) shall continue to serve on the  
2 select committee through December 31, 2012. New members  
3 shall be appointed for terms commencing with the sixty-  
4 first legislature as provided in 2011 Wyoming Session Laws,  
5 Section 4(b). Select committee members shall receive  
6 compensation, per diem and travel expense reimbursement in  
7 the manner and amount prescribed under W.S. 28-5-101. The  
8 appointing authority for any member who vacates membership  
9 shall fill the vacancy.

10

11 (b) Notwithstanding 2011 Wyoming Session Laws,  
12 Chapter 184, Section 4, the advisory committee shall  
13 continue to assist the select committee as the select  
14 committee deems necessary through December 31, 2013. The  
15 members appointed under 2011 Wyoming Session Laws, Chapter  
16 184, Section 4(d) shall continue to serve on the advisory  
17 committee. The appointing authority for any member who  
18 vacates membership shall fill the vacancy. Any member  
19 appointed to the advisory committee which is not an  
20 employee of a governmental subdivision or a member of a  
21 political subdivision board or commission shall receive per  
22 diem and travel expenses in the manner and amount provided  
23 state employees under W.S. 9-3-103.

24

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

13

14           **Section 5.**

15

16           (a) The state board, in consultation with the  
17 department of education, shall report to the legislative  
18 service office not later than August 15, 2012 on the  
19 implementation of phase one of the pilot statewide  
20 education accountability system as amended by W.S. 21-2-204  
21 and 21-2-304(a)(vi), as amended by section 1 of this act.  
22 Except as provided under W.S. 21-2-304(a)(v), as amended  
23 under section 1 of this act, for delayed implementation of  
24 several components of the statewide assessment system, the

1 report shall include the design and proposed business rules  
2 for implementation and administration of a fully  
3 operational phase one pilot statewide education  
4 accountability system by school year 2012-2013. The  
5 department of education shall use available data from  
6 school year 2011-2012 and all applicable prior years to  
7 demonstrate the operation of the phase one pilot system and  
8 application of the business rules as proposed by the state  
9 board. As subsequent data may become available, the  
10 department shall review the operation of the phase one  
11 pilot system and based upon that review, report to the  
12 state board any revisions for system implementation.

13

14 (b) The system reported by the state board to the  
15 legislative service office as required by subsection (a) of  
16 this section shall conform to the January 2012 education  
17 accountability report as defined by W.S. 21-2-204(k). For  
18 system indicators and data not yet collected but specified  
19 in the January 2012 report or otherwise required by this  
20 act, the state board shall, through the department of  
21 education, provide a specific plan describing how the  
22 indicators will be incorporated into accountability system  
23 computations and analysis upon becoming available. In  
24 addition, the department shall on behalf of the state



1 board, calculate overall school and indicator level results  
2 for the 2012-2013 pilot school year based upon data  
3 available during the 2011-2012 school year and all  
4 applicable prior school years. The report by the state  
5 board as required under subsection (a) of this section  
6 shall incorporate business rules and a plan for  
7 administration and implementation which at a minimum  
8 includes the following elements:

9

10 (i) A technically defensible approach to  
11 calculate achievement, growth and readiness as required by  
12 W.S. 21-2-204(d), as amended by section 1 of this act;

13

14 (ii) Use of a deliberative process informed by  
15 broad-based representation from areas of public education  
16 and the community at-large in developing and establishing  
17 performance levels on the various performance indicators  
18 and the overall process as required under W.S. 21-2-204(e),  
19 as amended by section 1 of this act. Initial membership on  
20 this representative panel to be established under this  
21 paragraph shall be comprised at minimum, of representatives  
22 of organizations and entities specified in this paragraph.  
23 The numbers of members appointed from each specified  
24 organization or entity shall be at least equal to and may

1 exceed the number specified in this paragraph. The initial  
2 panel membership shall include:

3

4 (A) Three (3) members of the state board;

5

6 (B) Three (3) public school teachers, one  
7 (1) from an elementary school, one (1) from a middle or  
8 junior high school and one (1) from a high school;

9

10 (C) Three (3) public school principals, one  
11 (1) from an elementary school, one (1) from a middle or  
12 junior high school and one (1) from a high school;

13

14 (D) Three (3) school district  
15 superintendents, one (1) representing a small district, one  
16 (1) a medium district and one (1) a large district;

17

18 (E) Three (3) members of the business  
19 community and the community at-large;

20

21 (F) Three (3) parents of children attending  
22 Wyoming public schools;

23

1 (G) Three (3) members of school district  
2 central office administration;

3

4 (H) Three (3) members of Wyoming school  
5 district boards of trustees;

6

7 (J) Three (3) representatives of Wyoming  
8 post secondary education institutions.

9

10 (iii) Performance targets and levels of  
11 performance required by W.S. 21-2-204(e), as amended by  
12 section 1 of this act;

13

14 (iv) Inclusion requirements, including but not  
15 limited to:

16

17 (A) The identification and definition of  
18 students who shall be assessed to determine school  
19 performance and accountability with the expectation that  
20 all Wyoming students in eligible grades shall participate  
21 in the assessment and accountability system;

22

23 (B) Identification and definition of the  
24 minimum number of students and data elements acceptable for

1 calculation of school, student and group performance and  
2 accountability; and

3

4 (C) Identification and definition of an  
5 academic year for purposes of determining school  
6 performance and accountability.

7

8 (v) Attribution requirements, including but not  
9 limited to the identification and definition of school  
10 configurations and the identification and definition of the  
11 linkage necessary between a student and a school that shall  
12 be used for determining school performance and  
13 accountability.

14

15 (c) A separate component of the report required under  
16 this section shall include a design document and  
17 implementation plan describing the provision of a  
18 progressive multi-tiered system of supports, interventions  
19 and consequences administered by the department pursuant to  
20 direction of the state board based upon the performance of  
21 each school at each level as required by W.S. 21-2-204(f),  
22 as amended by section 1 of this act. As part of this  
23 design document, and in administering the state system of  
24 supports, interventions and consequences established by the

1 state board and in appointing representatives to assist  
2 schools, school districts and the department in developing  
3 school improvement plans and resourcing plan  
4 implementation, the state superintendent shall document  
5 procedure which, in accordance with W.S. 21-2-204(f)(vii),  
6 as amended by section 1 of this act:

7

8 (i) First considers the level of expertise  
9 appropriate for the development and implementation of a  
10 particular improvement plan and all associated education  
11 strategies;

12

13 (ii) Following paragraph (i) of this subsection,  
14 considers the level of critical review and evaluation  
15 required for evaluating school improvement plans and the  
16 required level of evaluation of the accuracy of any  
17 research synthesis incorporated into plan implementation;

18

19 (iii) Depending upon the level of expertise  
20 required, provides for appointment of a representative from  
21 the department or from a school district, or both, and may  
22 provide for appointment of a representative through  
23 contracted expertise;

24

1           (iv) In those schools requiring substantial  
2 intervention and support, establishes a support structure  
3 for that school comprised of distinguished educators  
4 possessing the necessary credentials, education and  
5 expertise to assist schools appropriately, who possess the  
6 necessary experience, education and expertise commensurate  
7 with the level of intervention, support and consequences to  
8 be administered;

9  
10           (v) Provides for a report on the effectiveness  
11 of appointed representatives in improving school  
12 performance within the annual report to the state board, as  
13 required under W.S. 21-2-204(f)(vii), as amended by section  
14 1 of this act.

15  
16           (d) The legislative service office shall review the  
17 report submitted by the state board and department of  
18 education in accordance with this section and report  
19 findings and recommendations to the advisory committee  
20 reestablished under section 4(b) of this act regarding the  
21 proposed implementation and administration of phase one of  
22 the statewide education accountability system for school  
23 year 2012-2013. Not later than September 15, 2012, the  
24 advisory committee and the legislative service office shall

1 report to the select committee on recommendations,  
2 conclusions and findings in response to the submission of  
3 the report.

4

5 **Section 6.**

6

7 (a) Notwithstanding 2011 Wyoming Session Laws,  
8 Chapter 184, Section 4(g), the select committee on  
9 statewide education accountability shall continue the study  
10 of phase one of the statewide education accountability  
11 system and initiate phase two of the statewide education  
12 accountability study in accordance with subsection (c) of  
13 this section. The select committee shall report to the  
14 legislature on its findings and include recommendations for  
15 implementing legislation and a timeline for implementation  
16 when applicable.

17

18 (b) The select committee shall continue to study and  
19 develop recommendations as related to phase one of the  
20 education accountability act in the following areas:

21

22 (i) Additional measures of assessment and data  
23 elements at the secondary level that may account for  
24 students taking more than four (4) years to graduate or

1 complete the general educational development (GED) tests or  
2 other appropriate measures of high school completion;

3

4 (ii) Additional post secondary and career  
5 information that may assist in the determination of growth  
6 and achievement as related to career or college readiness.

7 The measures or data may include:

8

9 (A) Consideration of information related to  
10 college course completion;

11

12 (B) Remediation needs and rates at both  
13 Wyoming post secondary education institutions and to the  
14 extent possible, institutions from other states;

15

16 (C) Enrollment and academic performance in  
17 advanced placement courses;

18

19 (D) Participation in joint enrollment or  
20 other post secondary courses while enrolled at the  
21 secondary level;

22

23 (E) Attainment of career or industry  
24 certification; and



1

2

(F) Achievement of post secondary outcomes.

3

4

(iii) Notwithstanding 2011 Wyoming Session Laws, Chapter 184, Section 4(f)(ii), the select committee shall continue the study of an end of course assessment system that measures various levels of student performance as described in the uniform student content and performance standards as required by W.S. 21-2-304(a)(iv) and 21-3-110(a)(xxiv). Not later than September 1, 2012, the state board shall report and make recommendations to the select committee on the use of an end of course assessment system as a component of the statewide summative assessment and for district assessment systems that are designed and used to determine the various levels of student performance for purposes of fulfilling high school graduation requirements. Additionally, end of course assessment results shall be used in the statewide accountability system, the school district leader and teacher accountability system and the student accountability system. The recommendations shall conform to the January 2012 education accountability report as defined by W.S. 21-2-204(k);

24

1           (iv) A system of state supports and capacity  
2 building necessary to improve educational systems at a  
3 statewide level, to integrate with and execute the systems  
4 of support, intervention and consequences established under  
5 W.S. 21-2-204(f), as amended by section 1 of this act. The  
6 system of supports and capacity building shall at minimum  
7 follow a comprehensive, systematic, intentional approach  
8 for teachers and administrators, that increases the  
9 collective instructional capacity or expertise around a  
10 particular content area and specific problems of practice,  
11 develops the organizational processes and systems to help  
12 support the ongoing development, coordination and  
13 deployment of instructional capacity and incorporates a  
14 research-based approach to increasing instructional  
15 capacity. The select committee shall implement this  
16 paragraph through the advisory committee, who may use a  
17 technical advisory committee appointed by the advisory  
18 committee chairman, to review the needs, capacity and  
19 design approaches to build the necessary capacity across  
20 the state. Recommendations developed under this paragraph  
21 by the advisory committee shall be reported to the select  
22 committee by September 15, 2012;

23

1           (v) Data requirements and systems necessary to  
2 support the statewide education accountability system and  
3 the goal of improved student and school performance.

4

5           (c) The select committee shall study and develop  
6 recommendations on phase two of the statewide education  
7 accountability system, including the performance of school  
8 and district leaders and teachers. For purposes of this  
9 study, school and district leaders include superintendents,  
10 principals and other district or school leaders serving in  
11 a similar capacity. School district leader and teacher  
12 evaluation and accountability shall at a minimum include  
13 the following:

14

15           (i) A comprehensive definition of an effective  
16 school district leader and teacher;

17

18           (ii) A measurement system to evaluate school and  
19 district leaders' and teachers' performance relative to the  
20 definition of an effective school district leader or  
21 teacher, as appropriate;

22

23           (iii) Definition of school district leader or  
24 teacher of record;

1

2 (iv) The use of student performance results in a  
3 valid and reliable manner;

4

5 (v) At least three (3) levels of performance for  
6 school and district leaders and teachers, including highly  
7 effective, effective and ineffective;

8

9 (vi) A differentiated system to account for  
10 differences between novice school and district leaders or  
11 teachers and more experienced school and district leaders  
12 or teachers;

13

14 (vii) More frequent evaluation of novice school  
15 and district leaders or teachers as compared to more  
16 experienced school and district leaders or teachers that  
17 receive effective or highly effective performance  
18 evaluations for consecutive periods.

19

20 (d) Related to the school district leader and teacher  
21 evaluation and accountability system, the select committee  
22 shall include a review of performance pay, which shall  
23 consider merit-based salary schedules, bonuses, incentive  
24 pay and differential staffing practices.

1

2 (e) In addition to subsections (c) and (d) of this  
3 section, the select committee shall study and provide  
4 recommendations on student, parental and community  
5 accountability, providing incentives and sanctions to  
6 promote increased student achievement, a review of existing  
7 statutes related to incentives fostering improved student  
8 performance, develop recommendations on training needs of  
9 school district boards of trustees and shall explore  
10 different approaches and methods of providing school  
11 district leader development.

12

13 **Section 7.**

14

15 (a) For the period commencing on the effective date  
16 of this section and ending June 30, 2014, unexpended,  
17 unobligated amounts appropriated to the legislative service  
18 office under 2010 Wyoming Session Laws, Chapter 39, Section  
19 334(f)(ii), shall be available for expenditure by the  
20 legislative service office. Additionally and  
21 notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a),  
22 any unexpended, unobligated monies appropriated from the  
23 school foundation program account to the attorney general  
24 under 2010 Wyoming Session Laws, Chapter 39, Section 2,  
25 Section 015, for purposes of the school finance litigation

1 law office, shall not revert on June 30, 2012 and shall be  
2 reappropriated for expenditure by the legislative service  
3 office for the period commencing July 1, 2012 and ending  
4 June 30, 2014. Expenditures of amounts appropriated and  
5 reappropriated under this section shall be for professional  
6 consulting expertise and other support necessary to carry  
7 out and execute the work of the select committee on  
8 statewide education accountability as required under this  
9 act. Professional consulting expertise may be retained by  
10 the legislative service office only upon approval of the  
11 management council, and the unexpended, unobligated amounts  
12 may be expended for contractual agreements between the  
13 council and professional consultants.

14

15 (b) For the period beginning upon the effective date  
16 of this section and ending June 30, 2014, seventy-five  
17 thousand dollars (\$75,000.00) is appropriated from the  
18 unexpended, unobligated amounts appropriated to the  
19 legislative service office under 2010 Wyoming Session Laws,  
20 Chapter 39, Section 334(f)(ii) for necessary expenses of  
21 the select committee on statewide education accountability  
22 established under this act, as necessary to carry out this  
23 act.

24

1           (c) For the period commencing on the effective date  
2 of this section and ending June 30, 2014, up to eight  
3 hundred twelve thousand one hundred twenty-eight dollars  
4 (\$812,128.00) is appropriated from the school foundation  
5 program account to the department of education to provide  
6 for the statewide administration of the standardized  
7 college readiness test in school years 2012-2013 and  
8 2013-2014, covering English, reading, mathematics and  
9 science in grades eight (8) through ten (10), as required  
10 by W.S. 21-2-204(c), as amended by section 1 of this act,  
11 and for the statewide administration of the standardized  
12 college entrance examination in grade twelve (12) and the  
13 expansion of this administration to include writing in  
14 grade eleven (11), all as required by W.S. 21-2-202(a)(xxx)  
15 and 21-2-204(c), as amended by section 1 of this act. Of  
16 this appropriation, thirty thousand dollars (\$30,000.00)  
17 shall be expended by the department for necessary  
18 professional development and data costs.

19

20           (d) For the period commencing on the effective date  
21 of this section and ending June 30, 2014, up to two hundred  
22 fifty thousand dollars (\$250,000.00) is appropriated from  
23 the school foundation program account to the department of  
24 education to provide the necessary support to the state

1 board of education in carrying out duties imposed upon the  
2 board by this act. This appropriation may be expended for  
3 acquisition of necessary professional consulting expertise.  
4 The department shall report expenditures of amounts  
5 appropriated under this subsection to members of the select  
6 committee on statewide education accountability, initially  
7 on or before December 1, 2012, and periodically thereafter  
8 until the amount appropriated is expended or the  
9 expenditure authority expires, whichever first occurs.

10

11 **Section 8.**

12

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

17

18 (b) Notwithstanding subsection (a) of this section,  
19 W.S. 21-2-304(a)(v)(B), (E) and (b)(xv), 21-3-110(a)(xvii),  
20 (xviii), (xix) and (b), 21-7-102(a)(ii)(A) and (B) and  
21 21-7-110(a)(vii) are effective July 1, 2012.

22

23

(END)