

SENATE FILE NO. SF0070

Education accountability.

Sponsored by: Select Committee on School Finance

A BILL

for

1 AN ACT relating to public education; creating the Wyoming
2 Accountability in Education Act and establishing a
3 statewide education accountability system; modifying
4 statewide assessment requirements; establishing system
5 components and student performance measures; imposing
6 duties upon the state board of education and the state
7 superintendent; prescribing consequences for school level
8 student performance; establishing a legislative select
9 committee to review and expand system components; imposing
10 select committee reporting requirements and providing for
11 an advisory committee comprised of public education
12 representatives; prescribing staffing; providing
13 appropriations; and providing for effective dates.

14

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

16

17 **Section 1.** W.S. 21-2-204 is created to read:

1

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

4

5 (a) This section shall be cited as the "Wyoming
6 Accountability in Education Act."

7

8 (b) A statewide education accountability system shall
9 be established in accordance with this section. The first
10 phase of this system shall be a school-based system that
11 includes student performance as measured through multiple
12 indicators in those subjects for which students are
13 assessed as specified by this subsection, that are reported
14 in terms of student achievement at prescribed performance
15 levels, and that are aggregated to the school level. Core
16 indicators of student performance under the first phase of
17 the statewide school-based accountability system for each
18 applicable school shall be:

19

20 (i) School level performance in third, fourth
21 and fifth grade reading; and

22

23 (ii) Secondary school level outcomes.

24

1 (c) School level performance in reading shall be
2 measured by the statewide assessment system implemented by
3 the state board of education under W.S. 21-2-304(a)(v).
4 Secondary school outcomes shall be measured in accordance
5 with subsection (d) of this section. To the extent
6 applicable, each measure shall be aggregated to the school
7 level based upon those grades served inclusive to each
8 school as reported by the respective school district to the
9 department of education.

10

11 (d) Beginning in school year 2011-2012, and each
12 school year thereafter, the department of education shall
13 compute a combined school score for student performance in
14 the core indicators specified under subsection (b) of this
15 section as follows:

16

17 (i) For school level reading in grades three (3)
18 through five (5), using existing proficiency performance
19 levels specified on the statewide assessment:

20

21 (A) Each school shall record year-to-year
22 performance level changes in reading for all students
23 within grades three (3) through five (5) as may be served

1 by that school. Year-to-year school level performance
2 change designations shall be assigned as follows:

3

4 (I) "Positive progress" if a school
5 moves from its immediately preceding school year
6 performance level to a higher performance level in the
7 current school year;

8

9 (II) "Performance level unchanged" if
10 a school's immediately preceding school year performance
11 level is the same as its performance level in the current
12 school year;

13

14 (III) "Negative progress" if a school
15 moves from its immediately preceding school year
16 performance level to a lower performance level in the
17 current school year.

18

19 (B) Point values shall be assigned to each
20 school according to the type of change in performance
21 levels from the current school year compared to the
22 performance level of the immediately preceding school year
23 as follows:

24

1 (I) Schools demonstrating "positive
2 progress" shall be designated as a positive point value;

3

4 (II) Schools demonstrating
5 "performance level unchanged" shall be designated as an
6 unchanged or zero (0) point value;

7

8 (III) Schools demonstrating "negative
9 progress" shall be designated as a negative point value.

10

11 (ii) For secondary school-level outcomes, the
12 following measures shall be used:

13

14 (A) A standardized, curriculum based
15 college readiness test in grade eight (8) covering English,
16 reading, mathematics and science, reported by the
17 percentage of students meeting or exceeding college
18 readiness benchmark scores for each subject area;

19

20 (B) A standardized, curriculum based
21 achievement college entrance examination in grade eleven
22 (11) covering English, reading, mathematics and science,
23 reported by the percentage of students meeting or exceeding

1 the college readiness benchmark score for each subject
2 area.

3

4 (iii) All information generated under paragraphs
5 (i) and (ii) of this subsection shall be recorded by matrix
6 format established by rule and regulation of the department
7 of education.

8

9 (e) The target level for student performance under
10 the first phase of the statewide accountability system
11 shall be positive progress on all core indicators measured
12 under subsection (d) of this section.

13

14 (f) Commencing with school year 2013-2014, and each
15 school year thereafter, any school that fails to meet the
16 computed school improvement targets established under
17 subsection (e) of this section shall be subject to the
18 following:

19

20 (i) For the first year of failure to meet school
21 improvement targets, the school district for that school
22 shall report to the department of education on its
23 identified cause for the school's failure to meet
24 improvement targets and shall provide written articulation

1 of instructional strategies and programs to accelerate
2 student performance within that school sufficient to meet
3 improvement targets through a performance acceleration
4 plan. The plan shall include class schedules, curriculum
5 choices and instructional materials, shall specify
6 strategies targeting higher performance for students
7 performing below target levels and strategies for
8 maintaining students performing above target levels, and
9 shall verify deployment of resources by the district
10 necessary to implement the strategies for that school. Not
11 later than August 1 of each applicable school year, each
12 district subject to this paragraph shall file the
13 performance acceleration report assembled in accordance
14 with this paragraph with the department in a manner,
15 subject to criteria and on a form prescribed by department
16 rule and regulation. Not later than November 1 of the
17 applicable school year, the department shall discuss each
18 performance acceleration plan with the district
19 superintendent and the chairman of the board of trustees of
20 the school for which the plan is submitted, specifically
21 addressing the performance acceleration strategies and
22 programs contained within the report. The department shall
23 also determine the sufficiency of resources planned for
24 deployment by the district to implement articulated

1 strategies for that school. On or before December 1 of the
2 school year immediately following the school year for which
3 the school improvement target is computed, the department
4 shall report to members of the joint education interim
5 committee and the joint appropriations interim committee, a
6 compilation of all district reports submitted under this
7 paragraph together with evidence of discussions with the
8 district superintendents and board chairmen required under
9 this paragraph, an analysis of the ability of each
10 district's strategies and programs to succeed in
11 accelerating student performance and the analysis of the
12 sufficiency of resources to implement plan strategies;

13

14 (ii) For the second and subsequent years of
15 failure to meet school improvement targets, the department
16 of education shall from within existing resources of the
17 department, designate a technical assistance team to
18 develop turn-around strategies for each under-performing
19 school. The turn-around strategy shall at a minimum,
20 target curriculum, instruction, program content and school
21 organization including the structure of the school day and
22 year, and shall be implemented in the school year
23 immediately following the school year for which the second
24 and subsequent failure occurs. The technical assistance

1 team shall also assist the school and the appropriate
2 school district in implementing turn-around strategies and
3 programs and if necessary, shall impose criteria on
4 district allocation of resources necessary to fully
5 implement turn-around strategies and programs within that
6 school. The department shall report, annually on or before
7 December 1, to members of the joint education interim
8 committee and the joint appropriations interim committee on
9 the technical assistance provided under this paragraph,
10 together with rationale for selecting the imposed turn-
11 around strategies and the evidence supporting the
12 strategies. Any criteria on district resource allocation
13 imposed under this paragraph shall also be included in the
14 annual report;

15

16 (iii) In addition to paragraph (ii) of this
17 subsection, the state board shall administer this
18 subsection as part of school district accreditation
19 required under W.S. 21-2-304(a)(ii), through appropriate
20 administrative action taken in accordance with W.S.
21 21-2-304(b)(ii).

22

23 (g) Commencing with school year 2013-2014, and each
24 school year thereafter, the school district for any school

1 meeting the computed school improvement targets computed
2 under subsection (e) of this section shall continue to
3 receive a foundation program guarantee amount under W.S.
4 21-13-309(p) for that school without expenditure
5 restrictions and interference imposed at the state level.

6

7 (h) Measured performance results obtained and
8 collected pursuant to this section, together with
9 subsequent actions responding to results, shall be combined
10 with other information and measures maintained and acquired
11 under W.S. 21-2-202(a)(xxi), 21-2-304(a)(v)(H),
12 21-3-110(a)(xxiv) and otherwise by law, to be used as the
13 basis of a statewide system for providing periodic and
14 uniform reporting on the progress of state public education
15 achievement compared to established targets. The statewide
16 accountability system shall include a process for
17 consolidating, coordinating and analyzing existing
18 performance data and reports for purposes of aligning with
19 the requirements of this section and for determinations of
20 student achievement incorporated into the statewide system.

21

22 **Section 2.** W.S. 21-2-202(a)(i), (xiv) and (xxi),
23 21-2-203(c)(ii)(intro), (A) and by creating a new
24 subparagraph (C), 21-2-304(a)(ii), (v)(intro), (D), (E),

1 (H), (vi)(intro) and by creating a new paragraph (vii),
2 (b)(ii) and (xiv) and 21-3-110(a)(xxiv) and by creating a
3 new paragraph (xxx) are amended to read:

4

5 **21-2-202. Duties of the state superintendent.**

6

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

9

10 (i) Make rules and regulations, consistent with
11 this code, as may be necessary or desirable for the proper
12 and effective administration of the state educational
13 system and the statewide education accountability system
14 pursuant to W.S. 21-2-204. Nothing in this section shall be
15 construed to give the state superintendent rulemaking power
16 in any area specifically entrusted to the state board;

17

18 (xiv) For purposes of the statewide assessment
19 of students and reporting student performance under W.S.
20 21-2-304(a)(v), have authority to assess and collect
21 student educational assessment data from school districts,
22 community colleges and the University of Wyoming. All data
23 shall be consolidated, combined and analyzed in accordance
24 with W.S. 21-2-204(h) and shall be provided within a

1 reasonable time in accordance with rules and regulations of
2 the state board. In addition and pursuant to W.S.
3 21-2-304(a)(vii) and 21-3-110(a)(xxiv)(B), effective school
4 year 2012-2013, the state superintendent shall, through the
5 department, receive scores for each student assessed by
6 each school district under the benchmark adaptive
7 assessment administered under W.S. 21-3-110(a)(xxiv)(B),
8 with appropriate linkages to teachers, schools and
9 districts, reported in formats and schedules established by
10 rule and regulation of the state board;

11

12 (xxi) Establish and maintain a uniform statewide
13 reporting system based upon requirements of the statewide
14 education accountability system established under W.S.
15 21-2-204 and the statewide student assessment implemented
16 by the state board under W.S. 21-2-304(a)(v);

17

18 **21-2-203. School district data collection and funding**
19 **model administration; duties and responsibilities**
20 **specified; data advisory committee; school district**
21 **compliance.**

22

23 (c) The duties of the department are, in accordance
24 with rules promulgated by the state superintendent, to:

1

2 (ii) Collect data from school districts
3 necessary for the department to administer the school
4 finance system and the statewide education accountability
5 system established under W.S. 21-2-204. In accomplishing
6 this, the department shall:

7

8 (A) Coordinate its work with all other
9 functions of the department so as to consolidate data
10 reporting requirements for school districts and eliminate
11 duplication in reporting to the greatest extent possible,
12 including reporting of assessment results required for
13 determinations under W.S. 21-2-204;

14

15 (C) Use existing data to establish
16 longitudinal data systems linking student achievement with
17 teachers of record and relevant school principals, as
18 necessary for the statewide education accountability
19 system.

20

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

22

23 (a) The state board of education shall:

24

1 (ii) Through the evaluation and accreditation of
2 school districts, implement and enforce the uniform
3 standards for educational programs prescribed under W.S.
4 21-9-101 and 21-9-102 in the public schools of this state,
5 including any educational institution receiving any state
6 funds except for the University of Wyoming and Wyoming
7 community colleges, and implement and enforce the statewide
8 education accountability system pursuant to W.S. 21-2-204.

9 The board shall ensure that educational programs offered by
10 public schools in accordance with these standards provide
11 students an opportunity to acquire sufficient knowledge and
12 skills, at a minimum, to enter the University of Wyoming
13 and Wyoming community colleges, to prepare students for the
14 job market or postsecondary vocational and technical
15 training and to achieve the general purposes of education
16 that equips students for their role as a citizen and
17 participant in the political system and to have the
18 opportunity to compete both intellectually and economically
19 in society. In addition, the board shall require school
20 district adherence to the statewide education
21 accountability system;

22
23 (v) Through the state superintendent and in
24 consultation and coordination with local school districts,

1 implement a statewide assessment system comprised of a
2 coherent system of measures that when combined, provide a
3 reliable and valid measure of individual student
4 achievement for each public school and school district
5 within the state, and the performance of the state as a
6 whole. Statewide assessment system components shall be in
7 accordance with requirements of the statewide education
8 accountability system pursuant to W.S. 21-2-204.
9 Improvement of teaching and learning in schools, attaining
10 student achievement targets for core indicators established
11 under W.S. 21-2-204 and fostering school program
12 improvement shall be the primary purposes of statewide
13 assessment of student performance in Wyoming. The
14 statewide assessment system shall:

15

16 (D) Measure year-to-year changes in student
17 performance and progress in the subjects specified under
18 subparagraph (a)(v)(B) of this section, link student
19 performance and progress to teachers of record and compare
20 and evaluate student achievement during the process of
21 student advancement through grade levels. The assessment
22 system shall ensure the integrity of student performance
23 measurements used at each grade level to enable valid year-
24 to-year comparisons and shall be sufficient to capture

1 necessary data to enable application of measures of core
2 indicators as required under W.S. 21-2-204;

3
4 (E) Include multiple measures and item
5 types including grade appropriate multiple choice ~~and open-~~
6 ~~ended testing such as constructed response, extended-~~
7 ~~response and performance based tasks,~~ to ensure alignment
8 to the statewide student content and performance standards;

9
10 (H) Provide a measure of accountability to
11 enhance ~~teaching and~~ learning in Wyoming and in combination
12 with other measures and information, assist school
13 districts in determining individual student progress as
14 well as school level achievement targets. In addition to
15 reporting requirements imposed under W.S. 21-2-204, the
16 assessment results shall be reported to students, parents,
17 schools, school districts and the public in an accurate,
18 complete and timely manner. ~~and~~ Assessment results shall be
19 used in conjunction with a school district's annual
20 assessment to design educational strategies for improvement
21 and enhancement of student performance. ~~This design for~~
22 ~~improvement shall be part of each district's school~~
23 ~~improvement plan~~ required under W.S. 21-2-204. Assessment
24 results shall also be used to guide actions by the state

1 board and the department in providing and directing
2 intervention and technical assistance to districts in
3 developing school turn-around plans in response to student
4 performance target indicators measured and established
5 under W.S. 21-2-204. In consultation and coordination with
6 school districts, the board shall subject to W.S. 21-2-204,
7 review and evaluate the assessment system regularly and
8 based upon uniform statewide reports, ~~from each district,~~
9 annually report to the legislature ~~on student performance~~
10 ~~at specified grade levels and on school improvement plans~~
11 as required under W.S. 21-2-204.

12

13 (vi) ~~Effective school year 2005-2006 and each~~
14 ~~school year thereafter~~ Subject to and in accordance with
15 W.S. 21-2-204, through the state superintendent and in
16 consultation and coordination with local school districts,
17 by rule and regulation ~~establish~~ implement a statewide
18 accountability system. ~~providing~~ In addition and for
19 purposes of complying with requirements under the federal
20 No Child Left Behind Act of 2001, the board shall by rule
21 and regulation provide for annual accountability
22 determinations based upon adequate yearly progress measures
23 imposed by federal law for all schools and school districts

1 imposing a range of educational consequences resulting from
2 accountability determinations. ~~whereby:~~

3

4 (vii) Effective school year 2012-2013, through
5 benchmark adaptive assessments administered by school
6 districts as a component of the district assessment system
7 under W.S. 21-3-110(a)(xxiv), establish statewide standards
8 for the assessment of student growth in mathematics and
9 reading for all students in grades kindergarten through
10 grade eight (8), to be separate from but correlated with
11 the statewide assessment and accountability system
12 established under paragraphs (a)(v) and (vi) of this
13 section. The standards shall include:

14

15 (A) A benchmark testing system administered
16 uniformly statewide by school districts, covering
17 curriculum standards established by board rule and
18 regulation, to be administered subject to board prescribed
19 procedures;

20

21 (B) Prescribed growth by subject area and
22 by grade level;

23

1 (C) Processes and procedures for aligning
2 benchmark assessment results with assessment results
3 obtained under the statewide assessment administered under
4 paragraph (a)(v) of this section, using school year
5 2011-2012 as the initial year for basing growth
6 measurements;

7
8 (D) Use of assessment results to design
9 educational strategies for improvement and enhancement of
10 student performance through district school improvement
11 plans assembled in accordance with subparagraph (a)(v)(H)
12 of this section.

13
14 (b) In addition to subsection (a) of this section and
15 any other duties assigned to it by law, the state board
16 shall:

17
18 (ii) Enforce the uniform state educational
19 program standards imposed by W.S. 21-9-101 and 21-9-102 and
20 the uniform student content and performance standards
21 established by rules and regulations adopted under
22 subsection (a) of this section, together with student
23 performance indicators established and measured pursuant to
24 W.S. 21-2-204, by taking appropriate administrative action

1 with the state superintendent, including but not limited to
2 the changing of accreditation status;

3
4 (xiv) Based upon student performance levels
5 determined under W.S. 21-2-204, establish improvement goals
6 for public schools for assessment of student progress based
7 upon the national assessment of educational progress
8 testing program and the statewide assessment system
9 established under paragraph (a)(v) of this section;

10
11 **21-3-110. Duties of boards of trustees.**

12
13 (a) The board of trustees in each school district
14 shall:

15
16 (xxiv) Establish a student assessment system to
17 measure student performance relative to the uniform student
18 content and performance standards in all content areas for
19 which the state board has promulgated standards pursuant to
20 W.S. 21-2-304(a)(iii). To the extent required by ~~the state~~
21 ~~board under W.S. 21-2-304(a)(v) and (vi)~~ W.S. 21-2-204 and
22 21-2-304(a)(vii), the district assessment system shall be
23 integrated with the statewide assessment system and the
24 statewide accountability system. ~~A component~~ Components of

1 the district assessment system required by this paragraph
2 shall include the following:

3

4 (A) Until school year 2012-2013 and to the
5 extent not covered under subparagraph (B) of this
6 paragraph, a body of evidence assessment system designed
7 and used to determine the various levels of student
8 performance as described in the uniform student content and
9 performance standards relative to the common core of
10 knowledge and skills prescribed under W.S. 21-9-101(b); and

11

12 (B) In accordance with W.S.
13 21-2-304(a)(vii), a standardized benchmark assessment
14 designed to measure student progress during the school year
15 using a statewide adaptive standard of assessment set by
16 the state board of education, administered not less than
17 two (2) times during each school year in accordance with
18 prescribed time periods and procedures established by the
19 state board. Assessment scores shall be reported to the
20 department of education at times and in a manner prescribed
21 by board rule and regulation, and shall include appropriate
22 linkages to teachers and schools within the district.

23

1 (xxx) In addition to paragraphs (xvii), (xviii)
2 and (xix), require the performance of each school principal
3 to be evaluated by the district superintendent in
4 accordance with the statewide education accountability
5 system established under W.S. 21-2-204. In accordance with
6 rules and regulations of the state board, the district
7 board shall also provide the state board written reports
8 verifying principal performance and providing performance
9 scores necessary for continued employment.

10
11 **Section 3.** W.S. 21-2-304(a)(vi)(A) through (E) is
12 repealed.

13
14 **Section 4.**

15
16 (a) It is the intent of the legislature that this act
17 ensure that Wyoming monitors and attains the highest
18 achievement for children attending Wyoming public schools.
19 This act requires a flow of data from the school level up
20 to the state level and back down to the school level.
21 Measurement of the quality of Wyoming student performance
22 is key to this structure. Core indicators of student
23 performance for phase one (1) of this accountability system
24 are prescribed by this act. Measurement of those

1 indicators, improvement goals for those indicators, as well
2 as rewards for attaining and consequences for failing to
3 attain those goals, as provided by this act, shall be
4 reviewed and studied by the select committee on statewide
5 education accountability created by this section. The
6 select committee shall also study expansion of the
7 statewide accountability system into the second phase
8 identified by this section. In the manner prescribed by
9 this section, the select committee shall report its
10 recommendations back to the legislature for adoption into
11 law and implementation by the Wyoming state board of
12 education and the department of education.

13

14 (b) There is created a select committee on statewide
15 education accountability for purposes of carrying out the
16 study prescribed by this section. The select committee
17 shall provide recommendations to the legislature in
18 accordance with subsection (j) of this section. The select
19 committee shall consist of the following members:

20

21 (i) Four (4) members of the Wyoming senate
22 appointed by the president of the senate, with one (1) to
23 be the chairman of the senate education committee and at
24 least one (1) from the minority party; and

1

2 (ii) Four (4) members of the Wyoming house of
3 representatives appointed by the speaker of the house, with
4 one (1) to be the chairman of the house education committee
5 and at least one (1) from the minority party.

6

7 (c) The chairman of the senate education committee
8 and the chairman of the house education committee shall
9 serve as cochairmen of the select committee on statewide
10 education accountability. Appointments shall be made under
11 subsection (b) of this section not later than March 31,
12 2011. Members shall serve on the select committee through
13 the 2012 budget session. Select committee members shall
14 receive compensation, per diem and travel expense
15 reimbursement in the manner and amount prescribed under
16 W.S. 28-5-101.

17

18 (d) The select committee on statewide education
19 accountability shall be assisted by an advisory committee
20 to provide information to the select committee as it deems
21 necessary to carry out this section. The advisory
22 committee shall consist of the following members:

23

1 (i) One (1) member who is a superintendent of a
2 large Wyoming school district and one (1) member who is a
3 superintendent of a small Wyoming school district,
4 appointed by the Wyoming association of school
5 administrators;

6

7 (ii) Two (2) members who are school principals
8 from a Wyoming school district, one (1) of which is a
9 secondary school principal appointed by the Wyoming
10 association of secondary school principals and one (1), an
11 elementary school principal appointed by the Wyoming
12 association of elementary and middle school principals;

13

14 (iii) One (1) member who is a Wyoming school
15 district assessment director appointed by the governor;

16

17 (iv) Two (2) members who are Wyoming public
18 school teachers, one (1) from an elementary school and one
19 (1) from a secondary school, both appointed by the Wyoming
20 state board of education;

21

22 (v) One (1) member who is serving as a trustee
23 on a Wyoming school district board of trustees appointed by
24 the Wyoming school boards association;

1

2 (vi) One (1) member serving on the Wyoming state
3 board of education elected by the board as representative;

4

5 (vii) A representative of the department of
6 education designated by the state superintendent of public
7 instruction;

8

9 (viii) A representative of the governor's office
10 designated by the governor;

11

12 (ix) A representative of the Wyoming business
13 community appointed by the governor.

14

15 (e) Appointments to the advisory committee pursuant
16 to subsection (d) of this section shall be made by not
17 later than May 1, 2011. The appointing authority for any
18 member who vacates membership shall fill the vacancy. Any
19 member 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. Reimbursement shall be

1 made from amounts appropriated under subsection 5(b) of
2 this act.

3

4 (f) The select committee shall review phase one (1)
5 of the statewide education accountability system
6 established under W.S. 21-2-224, as created under section 1
7 of this act, as follows:

8

9 (i) Ensure the appropriateness and rigor of the
10 performance levels attached to each core indicator;

11

12 (ii) Review necessary modifications to the
13 statewide student assessment implemented by the state board
14 of education under W.S. 21-2-304(a)(v), subject to
15 reporting from the state superintendent required under
16 section 5(b) of this act. In addition, review of the
17 statewide summative assessment shall be combined with the
18 review of the statewide benchmark adaptive assessment
19 required under this act and reported under section 5(a) of
20 this act. The select committee shall also review
21 supplementation of the state summative and benchmark
22 adaptive assessment by student assessments administered at
23 the local school district level pursuant to W.S.
24 21-3-110(a)(xxiv) if the recommended local assessment is

1 reliable and valid across all students, schools and school
2 districts statewide, and if the supplemental information
3 allows for a more robust, reliable and valid measure of
4 student achievement;

5

6 (iii) Review and improve the reporting scale for
7 measured achievement to ensure each core indicator has a
8 stable, reliable measure which reduces variability caused
9 by small numbers of student populations within any school,
10 grade or district;

11

12 (iv) Prescribe procedures for computing
13 assessment scores to ensure reasonably fair and equitable
14 application of accountability system components to
15 identified groups of students for which an achievement gap
16 may occur;

17

18 (v) Review methodology for computation of annual
19 change in student performance, as compared to established
20 target levels, to indicate periodic growth or decline in
21 student performance profiled at the school level, leading
22 to a progressive process by which each school, as
23 determined by its overall accountability score, is measured
24 against statewide target levels.

1

2 (g) The select committee shall also initiate the
3 second phase of the statewide education accountability
4 system, which shall be predicated upon instructional
5 practice and the development of data necessary to establish
6 measures of teaching practice and the effectiveness of
7 classroom teachers, school principals and district
8 administrators in improving student achievement. The
9 select committee shall establish components of effective
10 teaching and administration, shall structure a statewide
11 system for measuring teacher and administrator
12 effectiveness and shall apply measured performance to
13 performance evaluation consequences and incentives. This
14 system shall be based upon a statewide longitudinal data
15 system established by the department linking student
16 assessment results to teachers of record, enabling
17 computation of the effect on student achievement of school
18 and classroom instruction, targeted student interventions
19 and other educational variables such as class size.

20

21 (h) In addition to subsections (f) and (g), the
22 select committee shall include a component within the
23 statewide accountability system which provides
24 recommendations on student and parental accountability

1 providing incentives and sanctions promoting increased
2 student achievement.

3

4 (j) The select committee shall assemble
5 recommendations developed under subsections (f), (g) and
6 (h) of this section, including time schedules prescribing
7 implementation for each system component, together with any
8 associated legislation, for submission to the legislature
9 in sufficient time for consideration in the 2012 budget
10 session. The select committee may introduce legislation as
11 other committees of the legislature.

12

13 (k) The select committee shall develop, with the
14 advice of the advisory committee, procedures for
15 identifying and assisting under-performing schools, time
16 schedules within which under-performing schools should
17 reasonably be expected to achieve improvement targets and
18 consequences to districts which fail to meet school
19 improvement targets.

20

21 (m) The legislative service office shall staff the
22 select committee. The department of education and other
23 state agencies shall provide information and other
24 assistance to the select committee as requested in order to

1 fulfill duties prescribed by this section. The legislative
2 service office may retain consultants as necessary to staff
3 and advise the select committee in executing
4 responsibilities prescribed by this section. The
5 management council may expend funds appropriated by the
6 legislature for approved contractual agreements between the
7 council and professional consultants on behalf of the
8 select committee.

9

10 **Section 5.**

11

12 (a) The state board of education, through the state
13 superintendent and the department of education, shall pilot
14 a statewide benchmark adaptive assessment during school
15 year 2011-2012 in accordance with requirements prescribed
16 under W.S. 21-2-304(a)(vii) and W.S. 21-3-110(xxix).
17 Assessment results from the pilot administration under this
18 subsection shall be used to establish student achievement
19 level alignment with the statewide summative assessment and
20 student performance target levels for implementation in the
21 2012-2013 school year. Reports on progress under this
22 section shall be provided by the state board to the select
23 committee on education accountability created under section
24 4 of this act during benchmark adaptive assessment

1 development and implementation. A final report shall be
2 provided to the select committee on or before December 1,
3 2011. The select committee shall provide necessary
4 enabling legislation for assessment implementation in
5 school year 2012-2013.

6
7 (b) The state board, through the state superintendent
8 and the department, shall commence development of a
9 statewide multiple choice, standardized summative
10 assessment meeting the requirements of 20 U.S.C. 6311 and
11 providing assessment results to teachers and schools within
12 the school year of assessment. Progress under this
13 subsection shall be reported to the select committee during
14 the course of the study required under section 4 of this
15 act.

16
17 (c) For the period commencing upon the effective date
18 of this section, and ending June 30, 2012, up to two
19 hundred sixty-five thousand dollars (\$265,000.00) is
20 appropriated from the school foundation program account to
21 the department of education to carry out subsection (a) of
22 this section. This appropriation shall not be included in
23 the department's 2013-2014 standard biennial budget
24 request.

1

2

Section 6.

3

4 (a) For the period commencing upon the effective date
5 of this act and ending June 30, 2012, unexpended,
6 unobligated amounts appropriated to the legislative service
7 office under 2010 Wyoming Session Laws, Chapter 39, Section
8 334(f)(ii), shall be available for expenditure by the
9 legislative service office for professional consulting
10 expertise and other support necessary to carry out and
11 execute the work of the select committee on statewide
12 education accountability as required under this act.
13 Professional consulting expertise may be retained by the
14 legislative service office only upon approval of the
15 management council, and the unexpended, unobligated amounts
16 may be expended for contractual agreements between the
17 council and professional consultants.

18

19 (b) For the period beginning upon the effective date
20 of this act and ending June 30, 2012, seventy-five thousand
21 dollars (\$75,000.00) is available from the unexpended,
22 unobligated amounts appropriated to the legislative service
23 office under 2010 Wyoming Session Laws, Chapter 39, Section
24 334(f)(ii) for necessary expenses of the select committee

1 on statewide education accountability established under
2 this act, as necessary to carry out this act.

3

4 **Section 7.**

5

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

10

11 (b) Notwithstanding subsection (a) of this section,
12 W.S. 21-2-304(a)(v)(E), as amended by section 2 of this
13 act, is effective July 1, 2012.

14

15 (END)