

HOUSE BILL NO. HB0072

Statewide education accountability-phase II.

Sponsored by: Select Committee on Statewide Education
Accountability

A BILL

for

1 AN ACT relating to the teacher accountability act of 2011;
2 prescribing phased-in development of phase II of the
3 statewide education accountability system addressing
4 teacher and leader evaluation; specifying study parameters
5 and timelines; imposing reporting requirements; and
6 providing for an effective date.

7

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

9

10 **Section 1.** W.S. 21-2-304(a)(v)(D), (b)(xv) and (xvi),
11 21-3-110(a)(xvii), (xviii), (xix), (xxx) and (b),
12 21-7-102(a)(ii)(A) and (B) and 21-7-110(a)(vii) are amended
13 to read:

14

15 **21-2-304. Duties of the state board of education.**

16

17 (a) The state board of education shall:

1

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

18

19 (D) Measure year-to-year changes in student
20 performance and progress in the subjects specified under
21 subparagraph (a)(v)(B) of this section, and not later than
22 school year ~~2013-2014~~2016-2017, link student performance
23 and progress to teachers of record and to school and
24 district leaders, including superintendents, principals and

1 other district or school leaders serving in a similar
2 capacity. The assessment system shall ensure the ~~integrity~~
3 ~~of~~ student performance measurements used at each grade
4 level ~~to enable~~ are valid for the purposes for which they
5 are being used, including valid year-to-year comparisons of
6 student and school level results, and shall be sufficient
7 to ~~capture~~ produce necessary data to enable application of
8 measures of performance indicators as required under W.S.
9 21-2-204;

10
11 (b) In addition to subsection (a) of this section and
12 any other duties assigned to it by law, the state board
13 shall:

14
15 (xv) Not later than July 1, ~~2013~~ 2016,
16 promulgate rules and regulations for the implementation and
17 administration of ~~an annual~~ a comprehensive school district
18 teacher performance evaluation system based in part upon
19 defined student academic performance measures as prescribed
20 by law, ~~and~~ upon longitudinal data systems linking student
21 achievement with teachers of record and upon measures of
22 professional practice according to standards for
23 professional practice prescribed by board rule and
24 regulation. The evaluation system shall clearly prescribe

1 standards for highly effective performance, effective
2 performance, performance in need of improvement and
3 ineffective performance, and shall create guidelines to
4 serve as a basis for school districts to define teacher of
5 record for purposes of the teacher and school district
6 leader evaluation and accountability system. Rules and
7 regulations adopted under this paragraph shall to the
8 extent the statewide accountability system is not
9 compromised, allow districts the opportunity to refine the
10 system to meet the individual needs of the district. The
11 performance evaluation system shall also include reasonable
12 opportunity for state and district provision of mentoring
13 and other professional development activities made
14 available to teachers performing unsatisfactorily, which
15 are designed to improve instruction and student
16 achievement;

17

18 (xvi) Not later than July 1, ~~2013~~2016,
19 promulgate rules and regulations for implementation and
20 administration of ~~an annual~~a performance evaluation system
21 for school and district leadership, including
22 superintendents, principals and other district or school
23 leaders serving in a similar capacity. The performance
24 evaluation system shall include reasonable opportunity for

1 state and district provision of mentoring and other
2 professional development activities made available to
3 district administrative personnel performing
4 unsatisfactorily, designed to improve leadership,
5 management and student achievement;

6
7 **21-3-110. Duties of boards of trustees.**

8
9 (a) The board of trustees in each school district
10 shall:

11
12 (xvii) Not later than school year ~~2013-2014~~
13 2016-2017 and each school year thereafter, require the
14 performance of each initial contract teacher to be
15 evaluated ~~in writing at least twice annually~~ summatively
16 based in part upon student achievement measures as
17 prescribed by rule and regulation of the state board under
18 W.S. 21-2-304(b)(xv). The teacher shall receive a copy of
19 each evaluation of his performance;

20
21 (xviii) Not later than school year ~~2013-2014~~
22 2016-2017 and each school year thereafter, establish a
23 teacher performance evaluation system and require the
24 performance of each continuing contract teacher to be

1 evaluated ~~in writing at least once each year~~ summatively
2 based in part upon student achievement measures as
3 prescribed by rule and regulation of the state board under
4 W.S. 21-2-304(b)(xv). The teacher shall receive a copy of
5 each evaluation of his performance;

6
7 (xix) Not later than school year ~~2013-2014~~
8 2016-2017 and each school year thereafter, based in part
9 upon student achievement measures established by the state
10 board of education under W.S. 21-2-304(b)(xv), performance
11 evaluations shall serve as a basis for improvement of
12 instruction, enhancement of curriculum program
13 implementation, measurement of both individual teacher
14 performance and professional growth and development and the
15 performance level of all teachers within the school
16 district, and as documentation for unsatisfactory
17 performance ~~for~~ that may lead to dismissal, suspension and
18 termination proceedings under W.S. 21-7-110;

19
20 (xxx) Not later than school year ~~2013-2014~~
21 2016-2017 and each school year thereafter, in addition to
22 paragraphs (xvii), (xviii) and (xix), require the
23 performance of each school district leader, including
24 superintendents and principals and other district or school

1 leaders serving in a similar capacity to be evaluated in
2 accordance with the statewide education accountability
3 system established under W.S. 21-2-204. Not later than
4 August 15, ~~2014~~2017 and August 15 of each school year
5 thereafter, in accordance with rules and regulations of the
6 state board, the district board shall also provide the
7 state board written reports verifying school district
8 leader performance and providing performance scores
9 necessary for continued employment;

10
11 (b) On or before ~~April 15, 2014~~June 1, 2017 and June
12 1 of each school year thereafter, each school district
13 superintendent shall provide a report to the board of
14 trustees identifying all teachers and school and district
15 leaders within the district whose performance, through
16 evaluations conducted under paragraphs (a)(xvii) through
17 (xix) and (xxx) of this section, has been determined
18 inadequate or unsatisfactory for that school year. The
19 report shall include a summary of mentoring and other
20 professional development activities made available to the
21 identified school and district leaders and teachers to
22 improve instruction and student achievement. Not later
23 than ~~June 1, 2014~~July 1, 2017 and July 1 of each school
24 year thereafter, the board shall file a report with the

1 department of education certifying compliance with this
2 subsection.

3

4 **21-7-102. Definitions.**

5

6 (a) As used in this article the following definitions
7 shall apply:

8

9 (ii) "Continuing Contract Teacher":

10

11 (A) Any initial contract teacher who has
12 been employed by the same school district in the state of
13 Wyoming for a period of three (3) consecutive school years,
14 has had his contract renewed for a fourth consecutive
15 school year and, beginning school year ~~2013-2014~~ 2016-2017
16 and each school year thereafter, has performed
17 satisfactorily on performance evaluations implemented by
18 the district under W.S. 21-3-110(a)(xvii) during this
19 period of time; or

20

21 (B) A teacher who has achieved continuing
22 contract status in one (1) district, and who without lapse
23 of time has taught two (2) consecutive school years and has
24 had his contract renewed for a third consecutive school

1 year by the employing school district, and, beginning
2 school year ~~2013-2014~~2016-2017 and each school year
3 thereafter, has performed satisfactorily on performance
4 evaluations conducted by both districts under W.S.
5 21-3-110(a)(xvii) during this period of time.

6
7 **21-7-110. Suspension or dismissal of teachers;**
8 **notice; hearing; independent hearing officer; board review**
9 **and decision; appeal.**

10
11 (a) The board may suspend or dismiss any teacher, or
12 terminate any continuing contract teacher, for any of the
13 following reasons:

14
15 (vii) Beginning school year ~~2013-2014~~2016-2017
16 and each school year thereafter, inadequate performance as
17 determined through ~~annual~~ performance evaluation tied to
18 student academic growth for at least two (2) consecutive
19 years completed in accordance with W.S. 21-3-110(a)(xvii)
20 through (xix);

21
22 **Section 2.**

1 (a) Notwithstanding 2012 Wyoming Session Laws,
2 Chapter 101, Section 6(c), the select committee on
3 statewide education accountability, as created under 2011
4 Wyoming Session Laws, Chapter 184, Section 4, and continued
5 under 2012 Wyoming Session Laws, Chapter 101, Section 4,
6 shall continue a study of a teacher and school district
7 leader evaluation and accountability system. This system
8 shall comprise phase II of the statewide education
9 accountability system as initiated by 2011 Wyoming Session
10 Laws, Chapter 184, Section 4(g). The design framework for
11 the teacher and school district leader evaluation and
12 accountability system shall:

13

14 (i) Support and promote improvement in student
15 learning in Wyoming schools;

16

17 (ii) Be designed coherently to support a system
18 of continuous school improvement, working seamlessly with
19 phase I of the school accountability system established
20 under W.S. 21-2-204 and fostering collaboration among
21 teachers, administrators and other public education
22 stakeholders;

23

1 (iii) Be designed and implemented with integrity
2 and incorporate transparency necessary for all relevant
3 participants to clearly understand expectations;

4
5 (iv) Be designed to promote opportunities for
6 meaningful professional growth of teachers and school
7 district leaders;

8
9 (v) Allow for flexibility to fit local district
10 and community contexts and needs.

11
12 (b) Using minimum requirements specified under 2012
13 Wyoming Session Laws, Chapter 101, Section 6(c), the select
14 committee, through the advisory committee established under
15 2011 Wyoming Session Laws, Chapter 184, Section 4(d), and
16 continued under 2012 Wyoming Session Laws, Chapter 101,
17 Section 4(b), shall develop recommendations for the phase
18 II teacher and school district leader evaluation and
19 accountability system based upon evidence of student
20 learning as well as measures of professional educator
21 practice organized according to five (5) domains, each
22 weighted relatively equally, and specified as follows:

23

1 (i) Learner development and learning differences
2 and environments;

3

4 (ii) Content knowledge and application of
5 content;

6

7 (iii) Instructional practice including
8 assessment, planning for instruction and instructional
9 strategies;

10

11 (iv) Professional responsibility including
12 professional learning and ethical practice and leadership
13 and collaboration;

14

15 (v) Evidence of student learning.

16

17 (c) Recommendations on the design framework for the
18 teacher and leader evaluation and accountability system
19 developed by the advisory committee pursuant to this
20 section shall focus on creating coherence among school,
21 leader and teacher evaluation systems. In addition,
22 recommendations by the advisory committee shall establish
23 design documents to effectively communicate requirements to
24 school districts, to create guidance and provide training

1 to districts in implementing evaluation systems with
2 fidelity and to design systems and structures for
3 professional learning opportunities. The design framework
4 shall expand the three (3) levels of performance
5 descriptors prescribed under 2012 Wyoming Session Laws,
6 Chapter 101, Section 6(c)(v), to four (4) levels of
7 performance descriptors, specified as follows:

8

9 (i) Highly effective performance;

10

11 (ii) Effective performance;

12

13 (iii) Performance in need of improvement; and

14

15 (iv) Ineffective performance.

16

17 (d) On or before October 15, 2013, the advisory
18 committee shall report to the select committee on statewide
19 education accountability recommendations on the design of a
20 teacher and leader evaluation and accountability system.
21 Recommendations under this subsection shall not be bound by
22 and may recommend rescission of existing rules and
23 regulations pertaining to certified personnel evaluation
24 systems, specifically including chapter 29, department of

1 education rules and regulations. Recommendations reported
2 under this subsection shall be subject to the following
3 timelines for system implementation and piloting:

4
5 (i) During school year 2013-2014, the design
6 shall enable provision of required training and
7 professional learning opportunities to leaders, school
8 board members and teachers, enable communication of system
9 requirements to key stakeholders and shall pilot data
10 collection methods and pilot selected accountability and
11 evaluation system components based upon a sample of
12 volunteer school districts;

13
14 (ii) During school year 2014-2015, the design
15 shall continue provision of professional learning
16 opportunities for key stakeholders, allow for system design
17 revision based upon results of the voluntary pilot
18 implemented during school year 2013-2014 and shall pilot
19 components of the accountability and evaluation system in
20 all school districts which may be structured in a manner
21 that requires each school district to implement only a
22 partial system comprised of selected components, but allows
23 all system components to be piloted through a collection of

1 partial assessments in all school districts during this
2 school year;

3

4 (iii) During school year 2015-2016, the design
5 shall be reviewed and may be revised as necessary based
6 upon the school year 2014-2015 pilot, continue provision of
7 professional learning opportunities based on needs
8 identified through the school year 2014-2015 pilot, conduct
9 initial peer review of school district evaluation models
10 according to guidelines for the peer review process as
11 specified in the report required under subsection (e) of
12 this section, disseminate to school districts best
13 practices based upon peer review results and require all
14 school districts to pilot all system components;

15

16 (iv) During school year 2016-2017, the system
17 design shall be reviewed and may be revised based upon the
18 school year 2015-2016 pilot, continue provision of
19 professional learning opportunities based upon needs
20 identified in the school year 2015-2016 pilot, conduct a
21 second peer review of school district evaluation models as
22 specified in the report required under subsection (e) of
23 this section, disseminate to school district best practices
24 based upon peer review results and require all school

1 districts to implement teacher and leader evaluation and
2 accountability systems.

3

4 (e) Based upon the report and recommendations
5 submitted by the advisory committee, the select committee
6 shall report its findings and recommendations, including
7 necessary enabling legislation, to the legislature for
8 consideration during the 2014 budget session.

9

10 **Section 3.** This act is effective immediately upon
11 completion of all acts necessary for a bill to become law
12 as provided by Article 4, Section 8 of the Wyoming
13 Constitution.

14

15 (END)