

Sponsored By: Select Committee on Statewide Education Accountability

AN ACT relating to education accountability; conforming law as specified to Powers v. State, 2014 WY 15, 318 P.3d 300 and Powers v. State, No. 180-673 (1st Jud. Dist. Ct. Apr. 18, 2014); modifying administration of the statewide job skills assessment test and the college entrance exam; delaying implementation and modifying development of phase II for teacher and school leader accountability; providing for phase I school accountability implementation and refinement; prescribing oversight and use of district assessment systems in state accountability; modifying the process for incorporation of revised state standards into assessments; modifying state criteria for high school graduation; providing for continuation of select accountability and advisory committees; establishing a technical advisory group to study alternative school accountability; establishing a taskforce to study statewide assessment; eliminating item type restrictions on the statewide student assessment for grades nine (9) and ten (10) for one (1) year; requiring reporting requirements; providing appropriations; and providing for an effective date.

12/15/2014 Bill Number Assigned
 1/13/2015 S Received for Introduction
 1/14/2015 S Introduced and Referred to S04 - Education
 1/19/2015 Education:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, J.D. (SD02), Coe, Dockstader, Pappas, Rothfuss

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/19/2015 S Placed on General File
 1/19/2015 S COW Rerefer to S02 - Appropriations
 1/20/2015 Appropriations:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Burns, Hastert, Perkins, Ross, Wasserburger

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/20/2015 S Placed on General File

SF0008SS001/ADOPTED

Page 17-line 15 Delete "2017-2018" insert "2018-2019".
 Page 17-line 23 Delete "2017-2018" insert "2018-2019".
 Page 18-line 8 Delete "2017-" insert "2018-2019".
 Page 18-line 9 Delete "2018".
 Page 20-line 22 Delete "2016-" insert "2017-2018".
 Page 20-line 23 Delete "2017".
 Page 21-line 7 Delete "2017" insert "2018".
 Page 22-line 10 Delete "2017-2018" insert "2018-2019".
 Page 37-line 12 Delete "5" insert "6".
 Page 37-line 22 Delete "5" insert "6". COE, CHAIRMAN

1/21/2015 S COW Passed

SF0008S2001/ADOPTED

Page 23-line 4 Delete new language and reinsert stricken language. WASSERBURGER

ROLL CALL

Ayes: Senator(s) Bebout, Burns, Case, Christensen, Cooper, Dockstader, Driskill, Emerich, Geis, Hicks, Johnson, Kinskey, Perkins, Peterson, Wasserburger

Nays: Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard, Coe, Craft, Esquibel, Hastert, Landen, Nicholas Pres, Pappas, Ross, Rothfuss, Scott, Von Flatern

Excused: Senator Meier

Ayes 15 Nays 14 Excused 1 Absent 0 Conflicts 0

SF0008S2002/ADOPTED

Page 36-After line 5 Insert:

"(d) Notwithstanding any other provision of law, for school year 2015-2016 only, the administration of the statewide student assessment for grades 9 and 10 required under W.S. 21-2-204 and 21-2-304(a)(v) shall include the ability to utilize constructed response items.". COE, ROTHFUSS

1/22/2015 S 2nd Reading:Passed

1/23/2015 S 3rd Reading:Laid Back

SF0008S3001/ADOPTED

Page 13-line 8 Reinsert all stricken language and delete all new language.

Page 13-line 9 After "mathematics" insert "and effective school year 2015-2016 and each school year thereafter, one (1) additional year of mathematics, which may include elective courses incorporating applied mathematics or mathematical methods typically used in science, engineering, information technology or business and industry, if the course is approved by the local board of trustees". COE, ROTHFUSS

ROLL CALL

Ayes: Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard, Burns, Coe, Craft, Emerich, Esquibel, Hastert, Hicks, Landen, Pappas, Ross, Rothfuss, Scott, Von Flatern

Nays: Senator(s) Bebout, Case, Christensen, Cooper, Dockstader, Driskill, Geis, Johnson, Kinskey, Meier, Perkins, Peterson, Wasserburger

Excused: Senator Nicholas Pres

Ayes 16 Nays 13 Excused 1 Absent 0 Conflicts 0

1/26/2015 S 3rd Reading:Passed 20-9-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard, Bebout, Burns, Coe, Cooper, Craft, Emerich, Esquibel, Hastert, Hicks, Kinskey, Landen, Pappas, Perkins, Ross, Rothfuss, Scott, Von Flatern

Nays: Senator(s) Case, Christensen, Dockstader, Driskill, Geis, Johnson, Meier, Peterson, Wasserburger
Excused: Senator Nicholas Pres
Ayes 20 **Nays** 9 **Excused** 1 **Absent** 0 **Conflicts** 0

1/28/2015 H Received for Introduction
2/6/2015 H Introduced and Referred to H04 - Education
2/26/2015 Education:Recommend Amend and Do Pass 6-2-1-0-0

ROLL CALL

Ayes: Representative(s) Freeman, Northrup, Paxton, Piiparinen, Sommers, Throne
Nays: Representative(s) Hunt, Jaggi
Excused: Representative Patton
Ayes 6 **Nays** 2 **Excused** 1 **Absent** 0 **Conflicts** 0

2/26/2015 H Placed on General File
2/26/2015 H COW Rerefer to H02 - Appropriations
2/27/2015 Appropriations:Recommend Amend and Do Pass 7-0-0-0-0

ROLL CALL

Ayes: Representative(s) Burkhardt, Connolly, Greear, Harshman, Moniz, Nicholas, B., Stubson
Ayes 7 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/27/2015 H Placed on General File

SF0008HS001/ADOPTED (TO ENGROSSED COPY)

That Substitute No. 1 for SF 0008ENG DO Pass. NORTHRUP, VICE CHAIRMAN

SF0008HS002/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 39-line 20 Delete "two".
Page 39-line 21 Delete the line through "(\$250,000.00)" insert
"twenty-five thousand dollars (\$25,000.00)".
Page 40-line 2 Delete "acquisition of necessary".
Page 40-line 3 Delete "professional consulting expertise"
insert "per diem and other expenses of the task
force". HARSHMAN, CHAIRMAN

SF0008HW001/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 8-line 14 Delete "shall" insert "may". SOMMERS

SF0008HW002/FAILED

[TO SUBSTITUTE BILL No. 1]

Page 1-line 9 After ";" insert "eliminating equity and
readiness as measures of school level
performance under phase I;".
Page 2-line 11 After "(vii)" insert ", 21-2-304(a)(v)(H) and
(vi)".
Page 11-After line 7 Insert:
"21-2-304. Duties of the state board of education."
 (a) The state board of education shall:
 (v) Through the state superintendent and in consultation
and coordination with local school districts, implement a statewide
assessment system comprised of a coherent system of measures that when

combined, provide a reliable and valid measure of individual student achievement for each public school and school district within the state, and the performance of the state as a whole. Statewide assessment system components shall be in accordance with requirements of the statewide education accountability system pursuant to W.S. 21-2-204. Improvement of teaching and learning in schools, attaining student achievement targets for performance indicators established under W.S. 21-2-204 and fostering school program improvement shall be the primary purposes of statewide assessment of student performance in Wyoming. The statewide assessment system shall:

(H) Provide a measure of accountability to enhance learning in Wyoming and in combination with other measures and information, assist school districts in determining individual student progress as well as school level achievement, ~~and growth and readiness targets~~ as required by W.S. 21-2-204. In addition to reporting requirements imposed under W.S. 21-2-204, the assessment results shall be reported to students, parents, schools, school districts and the public in an accurate, complete and timely manner. Assessment results shall be used in conjunction with each school district's assessments to design educational strategies for improvement and enhancement of student performance required under W.S. 21-2-204. Assessment results shall also be used to guide actions by the state board and the department in providing and directing a progressive multi-tiered system of support, intervention and consequences to districts in developing school improvement plans in response to student performance to attain target levels measured and established under W.S. 21-2-204. In consultation and coordination with school districts, the board shall subject to W.S. 21-2-204, review and evaluate the assessment system regularly and based upon uniform statewide reports, annually report to the legislature as required under W.S. 21-2-204.

(vi) Subject to and in accordance with W.S. 21-2-204, through the state superintendent and in consultation and coordination with local school districts, by rule and regulation implement a statewide accountability system. The accountability system shall include a technically defensible approach to calculate achievement, ~~and growth, readiness and equity~~ as required by W.S. 21-2-204. The state board shall establish performance targets as required by W.S. 21-2-204(e), establish a progressive multi-tiered system of supports, interventions and consequences as required by W.S. 21-2-204(f) and shall establish a statewide reporting system pursuant to W.S. 21-2-204(h). The system created shall conform to the January 2012 education accountability report as defined by W.S. 21-2-204(k). In addition and for purposes of complying with requirements under the federal No Child Left Behind Act of 2001, the board shall by rule and regulation provide for annual accountability determinations based upon adequate yearly progress measures imposed by federal law for all schools and school districts imposing a range of educational consequences and supports resulting from accountability determinations;".

Page 12-line 13 Delete "and" insert ","; after "(intro)" insert "and (h) (iv)",".

Page 12-line 16 Delete "a"; delete "paragraph" insert "paragraphs"; after "(xxxiv)" insert "and (xxxv)".

Page 14-After line 16 Insert:

"(h) Measured performance results obtained and collected pursuant to this section, together with subsequent actions responding to results, shall be combined with other information and measures

maintained and acquired under W.S. 21-2-202(a)(xxi), 21-2-304(a)(v)(H), 21-3-110(a)(xxiv) and otherwise by law, to be used as the basis of a statewide system for providing periodic and uniform reporting on the progress of state public education achievement compared to established targets. The statewide accountability system shall include a process for consolidating, coordinating and analyzing existing performance data and reports for purposes of aligning with the requirements of this section and for determinations of student achievement incorporated into the statewide system. In establishing a reporting system under this subsection, the department shall describe the performance of each public school in Wyoming. The performance report shall:

(iv) Include, through the use of data visualization techniques, the development of longitudinal student-level reports of assessment and other relevant ~~readiness~~ indicators that provide information to parents, teachers and other school personnel regarding student progress toward ~~college and career readiness and other~~ relevant outcomes. These reports shall be maintained by the district in each student's permanent record within the district's student data system; and".

Page 23-line 13 After "(iv)" insert ". Effective school year 2015-2016 and each school year thereafter, the district assessment system shall include a measure to determine student academic growth for nonproficient students in reading and mathematics".

Page 25-line 4 Delete "." insert ";".

Page 25-After line 4 Insert:

"(xxxv) Effective school year 2015-2016 and each school year thereafter, publish in a legal newspaper of general circulation within the respective county within thirty (30) days of the end of each school year, the average aggregate composite score on the standardized, curriculum based, achievement college entrance examination for all eleventh grade students attending public school in the school district as required under paragraph (xxix) of this subsection and W.S. 21-2-202(a)(xxx) and the six (6) year graduation rate for the graduating class."

Page 28-line 2 After "21-2-204" insert "(c)(iii) through (vii) and". SOMMERS, MADDEN

3/2/2015 H COW Passed

SF0008H2001/ADOPTED

(TO ENGROSSED COPY)

[TO SUBSTITUTE BILL No. 1]

Page 1-line 7 Delete "teacher and"; after ";" insert "eliminating phase II teacher accountability;"

Page 1-line 13 After ";" insert "modifying continuing contract teacher status;"

Page 12-line 15 Delete "(xviii), (xix),"

Page 12-line 17 Delete "21-7-110(a)(vii)" insert "21-7-104(a)"

Page 18-line 1 After "(xv)" strike all existing language and delete all new language.

Page 18-line 2 Strike "implementation" insert "development, assessment".

Page 18-line 3 Strike through "comprehensive" insert "approval of".

Page 18-line 4 After "evaluation" strike balance of line and insert "systems".

Page 18-lines 5 through 11 Strike entirely.
 Page 18-line 12 Strike through ".".
 Page 18-line 13 After "shall" strike balance of line.
 Page 18-line 14 Strike through ","; strike "districts" insert "each district flexibility in developing an evaluation system which meets".
 Page 18-line 15 Strike through "meet".
 Page 18-line 16 After "district" insert "i" and strike balance of line.
 Page 18-lines 17 through 21 Strike entirely.
 Page 20-line 13 After "(xvii)" strike balance of line.
 Page 20-line 14 Strike all existing language and delete all new language through ",".
 Page 20-line 16 After "evaluated" insert "in writing at least twice annually." and strike balance of line.
 Page 20-line 17 Strike entirely.
 Page 20-line 18 Strike the line through ".".
 Page 20-lines 21 and 22 Delete entirely.
 Page 21-lines 1 through 19 Delete entirely.
 Page 24-line 3 After "," strike balance of line.
 Page 24-line 4 Strike the line through "(xix),".
 Page 25-line 6 Delete "2020" insert "2019".
 Page 25-line 9 Strike all existing language and delete all new language.
 Page 25-line 10 Strike the line through "identifying".
 Page 25-line 12 After "evaluations" strike balance of line.
 Page 25-line 13 Strike the line through "section".
 Page 25-line 18 Strike "and teachers".
 Page 25-line 20 After "leaders," strike all existing language and delete all new language.
 Page 25-line 21 Strike "teachers,".
 Page 26-line 13 Strike "," insert "and".
 Page 26-line 15 After the first "year" strike all existing language and delete all new language.
 Page 26-lines 16 through 18 Strike entirely.
 Page 26-line 19 Strike the line through "time".
 Page 27-line 3 After "district" insert "." and strike balance of line.
 Page 27-lines 4 through 7 Strike all existing language and delete all new language.
 Page 27-After line 7 Insert:
 "21-7-104. Employment of continuing contract teachers on continuing basis; salary increases.
 (a) ~~Subject to satisfactory performance evaluation under W.S. 21-3-110(a)(xviii),~~ a continuing contract teacher shall be employed by each school district on a continuing basis from year to year without annual contract renewal at a salary determined by the board of trustees of each district, said salary subject to increases from time to time as provided for in the salary provisions adopted by the board.".
 Page 27-lines 9 through 22 Delete entirely.
 Page 28-line 3 After "(C)" insert ", 21-3-110(a)(xviii) and (xix) and 21-7-110(a)(vii)".
 Page 30-line 11 After first "of" insert "education leader accountability and shall cease all activities related to teacher accountability under".
 Page 30-line 12 After "." delete balance of line.
 Page 30-lines 13 through 21 Delete entirely.

Page 31-line 3 Delete "teacher and". FREEMAN

SF0008H2002/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 28-line 13 After "." delete balance of line.
Page 28-lines 14 through 16 Delete entirely.
Page 28-line 20 After "4(b)" insert "to serve on the select committee through December 31, 2016". BERGER

3/3/2015 H 2nd Reading:Passed

SF0008H3001/ADOPTED

(CORRECTED COPY)

[TO SUBSTITUTE BILL No. 1]

Page 10-line 10 Delete "three (3)
consecutive years" insert "one (1) year".
Page 37-line 6 After "(c)" delete balance of line.
Page 37-line 7 Delete "section, the" insert "Following receipt of this final report, the joint education interim committee and the select committee shall meet to consider the final report and any necessary enabling legislation. The". STUBSON

SF0008H3002/ADOPTED

[TO SUBSTITUTE BILL No. 1]

Page 24-line 15 Strike the line through "employment". LINDHOLM

3/4/2015 H 3rd Reading:Passed 43-16-1-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baldwin, Barlow, Berger, Blake, Brown Speaker, Burkhart, Byrd, Campbell, Cannady, Clem, Connolly, Dayton, Esquibel, Freeman, Gay, Greear, Halverson, Harshman, Harvey, Kasperik, Kirkbride, Krone, Larsen Lloyd, Laursen Dan, Lindholm, Lockhart, Madden, Nicholas, Northrup, Paxton, Pelkey, Petroff, Piiparinen, Pownall, Schwartz, Sommers, Stubson, Throne, Walters, Wilson, Zwonitzer,Dn, Zwonitzer,Dv

Nays: Representative(s) Baker, Blackburn, Edmonds, Edwards, Eklund, Hunt, Jaggi, Jennings, Kroeker, Loucks, McKim, Miller, Moniz, Reeder, Steinmetz, Winters

Excused: Representative Patton

Ayes 43 **Nays** 16 **Excused** 1 **Absent** 0 **Conflicts** 0

3/4/2015 S Received for Concurrence

3/4/2015 S Concur:Failed 0-29-1-0-0

ROLL CALL

Nays: Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard, Bebout, Burns, Case, Christensen, Coe, Cooper, Dockstader, Driskill, Emerich, Esquibel, Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas Pres, Pappas, Perkins, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Excused: Senator Craft

Ayes 0 **Nays** 29 **Excused** 1 **Absent** 0 **Conflicts** 0

3/4/2015 S Appointed JCC01 Members

Senator(s) Coe, Anderson, J.D. (SD02), Wasserburger

3/5/2015 H Appointed JCC01 Members

Representative(s) Northrup, Hunt, Sommers
3/5/2015 S Adopted SF0008JC001: 26-3-1-0-0

SF0008JC001/SADOPTED (TO ENGROSSED COPY)

Adopt the following House amendments:

SF0008H2002/A
SF0008H3001/A
SF0008H3002/A
SF0008HS001/A
SF0008HS002/A
SF0008HW001/A

Delete the following House amendments:

SF0008H2001/A
COE, ANDERSON (SD02), WASSERBURGER, NORTHRUP, HUNT, SOMMERS

ROLL CALL

Ayes: Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard, Bebout, Burns, Christensen, Coe, Cooper, Dockstader, Driskill, Emerich, Esquibel, Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Nicholas Pres, Pappas, Perkins, Peterson, Ross, Rothfuss, Von Flatern, Wasserburger

Nays: Senator(s) Case, Meier, Scott

Excused: Senator Craft

Ayes 26 **Nays** 3 **Excused** 1 **Absent** 0 **Conflicts** 0

3/5/2015 H Adopted SF0008JC001: 40-13-7-0-0

SF0008JC001/SADOPTEDHADOPTE (TO ENGROSSED COPY)

Adopt the following House amendments:

SF0008H2002/A
SF0008H3001/A
SF0008H3002/A
SF0008HS001/A
SF0008HS002/A
SF0008HW001/A

Delete the following House amendments:

SF0008H2001/A
COE, ANDERSON (SD02), WASSERBURGER, NORTHRUP, HUNT, SOMMERS

ROLL CALL

Ayes: Representative(s) Allen, Baker, Baldwin, Berger, Blackburn, Blake, Brown Speaker, Burkhart, Campbell, Cannady, Connolly, Dayton, Esquibel, Freeman, Gay, Halverson, Kasperik, Kirkbride, Krone, Larsen Lloyd, Laursen Dan, Lindholm, Lockhart, Madden, McKim, Moniz, Nicholas, Northrup, Paxton, Pelkey, Petroff, Pownall, Schwartz, Sommers, Throne, Walters, Wilson, Winters, Zwonitzer,Dn, Zwonitzer,Dv

Nays: Representative(s) Clem, Edmonds, Edwards, Eklund, Hunt, Jaggi, Jennings, Kroeker, Loucks, Miller, Piiparinen, Reeder, Steinmetz

Excused: Representative(s) Barlow, Byrd, Greear, Harshman, Harvey, Patton, Stubson

Ayes 40 **Nays** 13 **Excused** 7 **Absent** 0 **Conflicts** 0

3/6/2015 Assigned Number SEA No. 0087
3/6/2015 S President Signed SEA No. 0087
3/6/2015 H Speaker Signed SEA No. 0087
3/9/2015 Governor Signed SEA No. 0087
3/9/2015 Assigned Chapter Number

