

HOUSE BILL NO. HB0023

Education accountability.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to education accountability; generally
2 modifying provisions of the Wyoming Accountability in
3 Education Act; conforming provisions; repealing a provision;
4 requiring rulemaking; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 21-2-204(d)(intro), (v), (vi), (e),
9 (f)(intro), (h)(intro), (k) and (n)(intro) and
10 21-2-304(a)(v)(H) and (vi) are amended to read:

11

12 **21-2-204. Wyoming Accountability in Education Act;**
13 **statewide education accountability system created.**

14

15 (d) ~~Beginning in school year 2013-2014, and each school~~
16 ~~year thereafter,~~ The department of education shall compute

1 and report an overall school performance rating measured by
2 student performance on those performance indicators specified
3 under subsection (n) of this section for alternative schools
4 and subsection (c) of this section for all other schools. Any
5 school through its school district may seek informal review
6 of any overall school performance rating or other performance
7 determination in accordance with the following:

8

9 (v) Not later than fifteen (15) days after a
10 school receives its ~~final~~overall performance rating or other
11 performance determination from the department of education,
12 the school district may seek an informal review with the state
13 board. The state board shall make a final determination as
14 to the overall performance rating or other performance
15 determination within thirty (30) days after receipt of the
16 request for review;

17

18 (vi) The state board shall promulgate rules and
19 regulations governing the informal review process before the
20 board as conducted under this subsection. The informal review
21 process shall only examine whether the department properly
22 computed and reported a school's overall performance rating
23 or other performance determination or whether the school was

1 unable to administer the statewide assessment. The state
2 board may grant an exception to the state's accountability
3 system requirements for a school for one (1) school year when
4 the school demonstrates that it was unable to administer the
5 statewide assessment for good cause. Except as otherwise
6 provided by this paragraph, the informal review process shall
7 not be used to grant exceptions to the state's accountability
8 system or change components of the accountability model.

9
10 (e) The state board, through the department of
11 education, shall establish long term and interim performance
12 targets for all Wyoming schools for the indicators measured
13 pursuant to subsections (c) and (n) of this section. ~~For all~~
14 ~~schools other than alternative schools,~~ The performance
15 targets shall conform to the January 2012 education
16 accountability report as defined by subsection (m) of this
17 section. For alternative schools, the state board, through
18 the department, shall establish appropriate performance
19 targets may be developed in consultation with one (1) or more
20 advisory committees of education stakeholders assembled by
21 the superintendent. The state board shall utilize the
22 performance targets in carrying out the duties and the

1 deliberative process required under subsection (f) of this
2 section.

3

4 (f) The state board, through the department of
5 education, shall compile, evaluate and determine ~~the~~ target
6 levels for an overall school performance rating and for
7 indicator level performance. The board shall execute this
8 determination when a significant aspect of the school
9 accountability system changes ~~or based upon periodic review~~
10 ~~of the system that requires evaluation of the target and~~
11 ~~indicator levels for school performance ratings~~ through a
12 prescribed deliberative process, which may be informed by a
13 panel selected by the state board comprised of broad based
14 representation from both public education and the community
15 at-large. ~~For all schools other than alternative schools~~
16 Additionally, the target levels for school performance ~~on all~~
17 ~~performance indicators measured under subsection (c) of this~~
18 ~~section shall conform to the January 2012 education~~
19 ~~accountability report as defined by subsection (m) of this~~
20 ~~section. For alternative schools, the state board, through~~
21 ~~the department, shall establish appropriate target levels for~~
22 ~~school performance on all performance indicators measured~~
23 ~~under subsection (n) of this section~~ may be developed in

1 consultation with one (1) or more advisory committees of
2 education stakeholders assembled by the superintendent. The
3 target levels for school performance shall be used by the
4 state board through the department to:

5
6 (h) For all schools ~~other than alternative schools,~~ a
7 progressive ~~multi-tiered~~ system of support and intervention
8 to assist schools shall be established by the state board,
9 ~~and shall conform to the January 2012 education~~
10 ~~accountability report as defined by subsection (m) of this~~
11 ~~section. For alternative schools, the state board, through~~
12 ~~the department, shall establish an appropriate progressive~~
13 ~~multi-tiered system of support and intervention~~ through the
14 department. The system shall increase the ability of schools
15 and school districts to improve achievement and growth
16 indicator performance and expand the ability for schools and
17 school districts within the state to continuously improve.

18 The system shall clearly identify and prescribe the actions
19 for each level of support, including comprehensive and
20 targeted support and intervention. ~~Commencing with school~~
21 ~~year 2014-2015, and each school year thereafter,~~ The state
22 superintendent shall take action based upon system results
23 according to the following:

1

2 (k) ~~Beginning school year 2014-2015, and each school~~
3 ~~year thereafter, the state board shall through the state~~
4 ~~superintendent, annually review the statewide education~~
5 ~~accountability system, including but not limited to a review~~
6 ~~of the appropriateness of the performance indicators, the~~
7 ~~measures used to demonstrate performance, the methods used to~~
8 ~~calculate school performance, the target levels and~~
9 ~~statewide, district and school attainment of those levels and~~
10 ~~the system of support and intervention.~~ Not later than
11 September 1, ~~2015, and of~~ each ~~September 1 thereafter year,~~
12 or November 1 in years in which there is a significant change
13 to the statewide assessment system or the statewide
14 accountability system, as determined by the state board, the
15 state board through the state superintendent shall report to
16 the joint education interim committee ~~on the information~~
17 ~~required under this subsection and~~ the results of the
18 accountability system for each school in the state. In
19 addition, beginning with the 2020-2021 school year, after any
20 significant change to the statewide assessment system or the
21 statewide accountability system as determined by the state
22 board, the state board may evaluate the state's
23 accountability system to ensure that:

1

2 (i) System components remain reliable, valid and
3 fair;

4

5 (ii) System stakeholders receive, understand and
6 use accountability information to improve student outcomes;
7 and

8

9 (iii) The system remains as stable as possible.

10

11 (n) ~~Beginning school year 2018-2019 and each school~~
12 ~~year thereafter,~~ For alternative schools, the indicators of
13 school level performance shall be:

14

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

16

17 (a) The state board of education shall:

18

19 (v) Through the state superintendent and in
20 consultation and coordination with local school districts,
21 implement a statewide assessment system comprised of a
22 coherent system of measures that when combined, provide a
23 reliable and valid measure of individual student achievement

1 for each public school and school district within the state,
2 and the performance of the state as a whole. Statewide
3 assessment system components shall be in accordance with
4 requirements of the statewide education accountability system
5 pursuant to W.S. 21-2-204. Improvement of teaching and
6 learning in schools, attaining student achievement targets
7 for performance indicators established under W.S. 21-2-204
8 and fostering school program improvement shall be the primary
9 purposes of statewide assessment of student performance in
10 Wyoming. The statewide assessment system shall:

11

12 (H) Provide a measure of accountability to
13 enhance learning in Wyoming and in combination with other
14 measures and information, assist school districts in
15 determining individual student progress as well as school
16 level achievement, growth and readiness targets. In addition
17 to reporting requirements imposed under W.S. 21-2-204, the
18 assessment results shall be reported to students, parents,
19 schools, school districts and the public in an accurate,
20 complete and timely manner. For schools with students
21 enrolled in full-time virtual education programs, assessment
22 results for students attending full-time virtual education
23 programs shall be reported in aggregate form and separate

1 from students physically attending class in a school
2 facility. Assessment results shall be used in conjunction
3 with each school district's assessments to design educational
4 strategies for improvement and enhancement of student
5 performance required under W.S. 21-2-204. Assessment results
6 shall also be used to guide actions by the state board and
7 the department in providing and directing a progressive
8 ~~multi-tiered~~ system of support, and intervention and
9 ~~consequences~~ to districts in developing school improvement
10 plans in response to student performance to attain target
11 levels measured and established under W.S. 21-2-204. In
12 consultation and coordination with school districts, the
13 board shall subject to W.S. 21-2-204, review and evaluate the
14 assessment system regularly and based upon uniform statewide
15 reports, annually report to the legislature as required under
16 W.S. 21-2-204;

17

18 (vi) Subject to and in accordance with W.S.
19 21-2-204, through the state superintendent and in
20 consultation and coordination with local school districts, by
21 rule and regulation implement a statewide accountability
22 system. The accountability system shall include a technically
23 defensible approach to calculate school level performance

1 indicators as required by W.S. 21-2-204. The state board
2 shall establish performance targets as required by W.S.
3 ~~21-2-204(f), establish a~~ 21-2-204(e), target levels for an
4 overall school performance rating and for indicator level
5 performance pursuant to W.S. 21-2-204(f), a progressive
6 ~~multi-tiered~~ system of supports and interventions as required
7 by W.S. 21-2-204(h) and ~~shall establish~~ a statewide reporting
8 system pursuant to W.S. 21-2-204(j). ~~For schools other than~~
9 ~~alternative schools, the system created shall conform to the~~
10 ~~January 2012 education accountability report as defined by~~
11 ~~W.S. 21-2-204(m). For alternative schools, the state board~~
12 ~~shall conform the system in accordance with W.S. 21-2-204, as~~
13 ~~applicable.~~ As part of the statewide accountability system,
14 and for purposes of complying with requirements under the
15 federal Every Student Succeeds Act, the board shall by rule
16 and regulation provide for annual accountability
17 determinations based upon measures imposed by federal law for
18 all schools and school districts imposing a range of
19 educational interventions and supports resulting from
20 accountability determinations;

21

22 **Section 2.** W.S. 21-2-204(m)(ii) is repealed.

23

1 **Section 3.**

2

3 (a) By July 1, 2020, the state board of education, as
4 required by W.S. 21-2-304(a)(vi), shall promulgate rules to
5 implement the statewide accountability system. The rules
6 shall provide for long term and interim performance targets
7 for all Wyoming schools for accountability indicators
8 established by law pursuant to W.S. 21-2-204(e), target
9 levels for an overall school performance rating and for
10 indicator level performance pursuant to W.S. 21-2-204(f), a
11 progressive system of support and intervention pursuant to
12 W.S. 21-2-204(h) and a statewide reporting system pursuant to
13 W.S. 21-2-204(j). In accordance with W.S. 21-2-204, the rules
14 shall provide distinct accountability systems for alternative
15 schools and all other public K-12 schools.

16

17 (b) In promulgating rules on the statewide
18 accountability system pursuant to this section, the state
19 board shall adopt rules that reflect recommendations
20 regarding the student participation rate calculation as
21 contained in the technical advisory group's report of October
22 1, 2018 to the joint education interim committee for
23 alternative schools and as contained in the advisory

1 committee's report of February 5, 2018 to the joint education
2 interim committee for all other public K-12 schools. The state
3 board shall adopt rules that reflect recommendations
4 regarding the method of aggregating indicator data into an
5 overall school performance determination as contained in the
6 technical advisory group's report of October 1, 2018 to the
7 joint education interim committee for alternative schools and
8 as contained in the advisory committee's report of October 1,
9 2018 to the joint education interim committee for all other
10 public K-12 schools. The reports are on file with and
11 available for public inspection from the legislative service
12 office.

13

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

17

18

(END)