

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

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

3

4 (f) The state board, through the department of
5 education, shall compile, evaluate and determine ~~the~~
6 appropriate target levels for an overall school performance
7 rating and for indicator level performance. The board shall
8 execute this determination when a significant aspect of the
9 school accountability system changes ~~or based upon periodic~~
10 ~~review of the system that requires evaluation of the target~~
11 ~~and indicator levels for school performance ratings~~ through
12 a prescribed deliberative process, which may be informed by
13 a 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~~ a separate
13 progressive ~~multi-tiered~~ system of support and intervention.

14 The systems shall increase the ability of schools and school
15 districts to improve achievement and growth indicator
16 performance, expand the ability for schools and school
17 districts within the state to continuously improve and
18 provide for coordination with institutions of higher
19 education to improve success of the state's K-12 system. The
20 ~~system~~ systems shall clearly identify and prescribe the
21 actions for each level of support, including comprehensive
22 and targeted support and intervention. ~~Commencing with school~~
23 ~~year 2014-2015, and each school year thereafter,~~ The state

1 superintendent shall take action based upon system results
2 according to the following:

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

1 board, the state board may evaluate the state's
2 accountability system to ensure that:

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

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

10
11 (iii) The system remains as stable as possible.

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

16
17 **21-2-304. Duties of the state board of education.**

18
19 (a) The state board of education shall:

20
21 (v) Through the state superintendent and in
22 consultation and coordination with local school districts,
23 implement a statewide assessment system comprised of a

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

13

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

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

19

20 (vi) Subject to and in accordance with W.S.
21 21-2-204, through the state superintendent and in
22 consultation and coordination with local school districts, by
23 rule and regulation implement a statewide accountability

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

23

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

2

3 **Section 3.**

4

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

18

19 (b) In promulgating rules on the statewide
20 accountability system pursuant to this section, the state
21 board shall adopt rules that reflect recommendations
22 regarding the student participation rate calculation as
23 contained in the technical advisory group's report of October

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

15

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

19

20

(END)