

HOUSE BILL NO. HB0097

Education-standards and assessment.

Sponsored by: Representative(s) Reeder, Hutchings and
Miller and Senator(s) Dockstader and Hicks

A BILL

for

1 AN ACT relating to education; modifying the process for
2 adoption of content and performance standards by the state
3 board; establishing an advisory council to the state board
4 for adoption of the content and performance standards;
5 prohibiting participation in the Smarter Balanced
6 Assessment Consortium; requiring review of the statewide
7 assessment system; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 21-9-104 is created to read:

12

13 **21-9-104. Establishment of content and performance**
14 **standards by the state board.**

15

1 (a) The state of Wyoming shall retain sole control
2 over the development, establishment and revision of the
3 content and performance standards established pursuant to
4 this section and W.S. 21-2-304(a)(iii). Neither the state
5 board, nor any other state education entity, nor any state
6 official, may join any consortium or any other organization
7 when participation in that consortium or organization would
8 cede any measure of control over any aspect of Wyoming
9 public education to entities outside the state, nor may any
10 such person or entity condition or delay a decision on
11 content and performance standards on the decision of any
12 consortium, organization or other state government, or the
13 federal government.

14

15 (b) Effective April 15, 2014, and each year
16 thereafter, the state board shall establish the content and
17 performance standards advisory council to advise the state
18 board in creating and adopting world class content and
19 performance standards that will lead to college and career
20 readiness for all students. Unless specifically provided
21 otherwise by this subsection, members of the advisory
22 council shall be appointed by the state board. The
23 advisory council shall consist of the following members:

24

1 (i) Two (2) curriculum directors from Wyoming
2 school districts with expertise in curriculum and standards
3 in kindergarten through grade twelve (12);
4

5 (ii) Four (4) parents of students, consisting of
6 two (2) parents from school districts with enrollment
7 greater than the statewide average Wyoming school district
8 and two (2) parents from school districts with enrollment
9 less than the statewide average Wyoming school district.

10 Teachers, curriculum directors, professors or other
11 individuals eligible for appointment under an alternative
12 paragraph in this subsection shall not be appointed as a
13 parent representative under this paragraph;
14

15 (iii) Four (4) certified teachers, each with at
16 least ten (10) years of experience in teaching core
17 curriculum in a Wyoming school district. A teacher from an
18 elementary school, a middle school and a high school and
19 one (1) special education instructor shall be appointed
20 under this paragraph. Retired teachers may be appointed
21 under this paragraph;
22

23 (iv) Three (3) professors from the University of
24 Wyoming or from any Wyoming community college to include

1 one (1) from a mathematics department, one (1) from an
2 English literature department and one (1) professor from
3 the vocational technical area of study;

4

5 (v) One (1) representative from the business
6 community;

7

8 (vi) Four (4) member of any Wyoming school
9 district board of trustees, consisting of two (2) members
10 from school districts with enrollment greater than the
11 statewide average Wyoming school district and two (2)
12 members from school districts with enrollment less than the
13 statewide average Wyoming school district.

14

15 (c) Effective April 15, 2014, and each year
16 thereafter, the advisory council shall establish a
17 subcommittee, at least one (1) year prior to the
18 subcommittee's consideration of any standards, for each
19 subject area defined in W.S. 21-9-101(b). Subcommittee
20 members need not be members of the advisory council. The
21 advisory council shall appoint the members of each
22 subcommittee.

23

1 (d) Effective April 15, 2014, and each year
2 thereafter, and at the direction of the advisory council
3 established by subsection (b) of this section, all content
4 and performance standards required by W.S. 21-9-101(b)
5 shall be reviewed by the appropriate subcommittee
6 established under subsection (c) of this section to ensure
7 that the standards contain clarity, rigor, content, depth
8 and coherence. The review by the subcommittee shall
9 include the following:

10

11 (i) Examination of content and performance
12 standards reform efforts over the past twenty (20) years to
13 ensure that current efforts do not take place without
14 historical context;

15

16 (ii) Consideration of research relevant to each
17 subject area;

18

19 (iii) Examination of the content and performance
20 standards or similar requirements for the subject area that
21 have been adopted by other states;

22

23 (iv) Collect feedback on the proposed standards
24 solicited from teachers, parents and other citizens and

1 make that feedback available to the general public through
2 existing communication resources utilized by school
3 districts.

4
5 (e) Each subcommittee shall prepare proposed content
6 and performance standards based on the review conducted
7 under subsection (d) of this section, including any
8 revisions deemed necessary by the subcommittee. Each
9 subcommittee, through the department of education, shall
10 provide an electronic copy of the proposed standards to
11 every Wyoming school district board of trustees and to the
12 relevant department heads of each Wyoming institution of
13 higher education including at minimum, department heads of
14 the content areas addressed by those standards. The
15 proposed standards shall be available to the public by
16 means of existing communication resources utilized by
17 school districts. Each subcommittee shall provide a public
18 comment period on the proposed standards of not less than
19 sixty (60) days and shall hold at least five (5) public
20 hearings at various locations across the state to receive
21 comment on the rigor, clarity and reasonableness of the
22 standards developed by the subcommittee. Each subcommittee
23 may revise the standards as appropriate based upon public
24 participation and comment. Each subcommittee shall prepare

1 a report to the advisory council on the proposed standards
2 for its review and approval.

3

4 (f) Upon receipt of a report on proposed content and
5 performance standards from a subcommittee, the advisory
6 council shall review and finalize the draft standards
7 before forwarding to the state board to consider for
8 promulgation of rules and regulations required under W.S.
9 21-2-304(a)(iii).

10

11 (g) Prior to promulgation of rules and regulations
12 under W.S. 21-2-304(a)(iii), the state board shall conduct
13 at least three (3) public hearings. The state board shall
14 report any proposed changes to all Wyoming school district
15 board of trustees.

16

17 (h) Members of the content and performance standards
18 advisory council or of any subcommittee shall be reimbursed
19 for necessary expenses incurred in the performance of their
20 duties as members.

21

22 (j) In addition to other requirements specified under
23 this section, each member of the content and performance
24 standards advisory council or of any subcommittee

1 established under this section shall be a resident of
2 Wyoming. The members of the advisory council and of any
3 subcommittee shall be as fairly balanced in geographic
4 representation as reasonably possible, with members
5 representing urban and rural areas. Members of the advisory
6 council shall serve for no longer than four (4) consecutive
7 years. Each member of the advisory council or of any
8 subcommittee shall be replaced within thirty (30) days of
9 the expiration of the member's respective term or upon
10 vacating an appointment.

11

12 (k) In addition to the requirements contained in this
13 section, content and performance standards that are not
14 developed under the sole authority of the state of Wyoming
15 or standards that use the same model framework developed
16 primarily by entities other than the state of Wyoming shall
17 not be adopted or implemented by the state board until
18 expiration of a public comment period of at least ninety
19 (90) days.

20

21 **Section 2.** W.S. 21-2-304(a)(iii)(intro),
22 21-3-110(a)(xv) and 21-9-101(a) are amended to read:

23

24 **21-2-304. Duties of the state board of education.**

1

2 (a) The state board of education shall:

3

4 (iii) By rule and regulation as required by W.S.

5 21-9-104 and in consultation and coordination with local

6 school districts, prescribe uniform student content and

7 performance standards for the common core of knowledge and

8 the common core of skills specified under W.S. 21-9-101(b),

9 and promulgate uniform standards for programs addressing

10 the special needs of student populations specified under

11 W.S. 21-9-101(c) that ensure these student populations are

12 provided the opportunity to learn the common core knowledge

13 and skills as prescribed by the uniform student content and

14 performance standards pursuant to this paragraph. Student

15 content and performance standards prescribed under this

16 paragraph shall include standards for graduation from any

17 high school within any school district of this state and

18 shall describe required performance levels in order to

19 achieve proficiency of the common core of knowledge and

20 common core of skills prescribed under W.S. 21-9-101(b).

21 The ability to prescribe content and performance standards

22 shall not be construed to give the state board of education

23 the authority to prescribe textbooks or curriculum which

24 the state board is hereby forbidden to do. Graduation

1 standards imposed under this paragraph shall require the
2 successful completion of the following components, as
3 evidenced by passing grades or by the successful
4 performance on competency-based equivalency examinations:
5

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

7
8 (a) The board of trustees in each school district
9 shall:
10

11 (xv) Provide an educational program within the
12 schools under its jurisdiction in compliance with uniform
13 state standards prescribed under W.S. 21-9-101 and 21-9-102
14 and by rule and regulation of the state board pursuant to
15 W.S. 21-9-104;
16

17 **21-9-101. Educational programs for schools;**
18 **standards; core of knowledge and skills; special needs**
19 **programs; class size requirements; cocurricular activities.**
20

21 (a) The board of trustees of each school district
22 within the state shall cause the schools under its
23 jurisdiction to provide an educational program in
24 accordance with uniform standards defined under this

1 section and rules and regulations promulgated by the state
2 board of education pursuant to W.S. 21-2-304(a) (iii) and
3 21-9-104.

4
5 **Section 3.** In conducting the review required by W.S.
6 21-2-304(a)(iii) and (c), on a staggered basis, the content
7 and performance standards for English language arts shall
8 be reviewed not later than December 31, 2016 and then again
9 not more than five (5) years thereafter, and the content
10 and performance standards for math shall be reviewed not
11 later than December 31, 2016, and then again not more than
12 five (5) years thereafter.

13

14 **Section 4.**

15

16 (a) Notwithstanding any other provision of law, the
17 state of Wyoming shall immediately initiate the procedure,
18 as outlined in the Smarter Balanced Assessment Consortium
19 Governance Structure Document (July 1, 2010, amended
20 September 19, 2013), to withdraw from such consortium.

21

22 (b) The advisory council as established by W.S.
23 21-9-104 as created by section 1 of this act, shall on or
24 before November 1, 2014, review the statewide assessment

1 system required by W.S. 21-2-304(a)(v) and present three
2 (3) options to the state board of education for
3 consideration. The state board shall report
4 recommendations to the legislature regarding statewide
5 assessment system prior to the 2015 general session and
6 shall not adopt a statewide assessment system until after
7 adjournment of that session.

8

9 **Section 5.** The content and performance standards
10 advisory council, as created by W.S. 21-9-104 under section
11 1 of this act, shall be established by the state board of
12 education. All laws and parts of laws in conflict with
13 this act are repealed.

14

15 **Section 6.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Article 4, Section 8 of the Wyoming
18 Constitution.

19

20

(END)