

HOUSE BILL NO. HB0168

Stop common core initiatives in Wyoming.

Sponsored by: Representative(s) Jaggi, Davison, Halverson,
Kroeker, Miller and Watt and Senator(s)
Dockstader, Meier and Nutting

A BILL

for

1 AN ACT relating to public schools; imposing criteria on the
2 adoption of state education program and student content and
3 performance standards; requiring adherence to process and
4 guidelines; prohibiting the enforcement of specified rules
5 and regulations of the Wyoming department of education;
6 prohibiting participation in standards and assessment
7 activities originating out-of-state by state board members,
8 official and other agencies representing public schools;
9 prohibiting sharing of educational data; requiring the
10 legislative service office to make conforming amendments;
11 and providing for an effective date.

12

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

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15 **Section 1.** W.S. 21-2-304(a)(iii)(intro) and (c) is
16 amended to read:

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2

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

3

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(a) The state board of education shall:

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6

(iii) Subject to subsection (c) of this section,

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by rule and regulation and in consultation and coordination

8

with local school districts, prescribe uniform student

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content and performance standards for the common core of

10

knowledge and the common core of skills specified under

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W.S. 21-9-101(b), and promulgate uniform standards for

12

programs addressing the special needs of student

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populations specified under W.S. 21-9-101(c) that ensure

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these student populations are provided the opportunity to

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learn the common core knowledge and skills as prescribed by

16

the uniform student content and performance standards

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pursuant to this paragraph. Student content and performance

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standards prescribed under this paragraph shall include

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standards for graduation from any high school within any

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school district of this state and shall describe required

21

performance levels in order to achieve proficiency of the

22

common core of knowledge and common core of skills

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prescribed under W.S. 21-9-101(b). The ability to prescribe

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content and performance standards shall not be construed to

1 give the state board of education the authority to
2 prescribe textbooks or curriculum which the state board is
3 hereby forbidden to do. Graduation standards imposed under
4 this paragraph shall require the successful completion of
5 the following components, as evidenced by passing grades or
6 by the successful performance on competency-based
7 equivalency examinations:

8

9 (c) The state board shall perform an ongoing review
10 of state board duties prescribed by law and may make
11 recommendations to the legislature on board duties.

12 Effective April 1, 2014, the educational program standards
13 imposed under W.S. 21-9-101 and 21-9-102 and, enforced
14 under paragraphs (a)(ii) and (b)(ii) of this section and
15 the student content and performance standards adopted under
16 paragraph (a)(iii) of this section shall encompass academic
17 and cognitive instruction only, shall not in any way
18 include attitudes, beliefs or value systems not essential
19 to the legal, economic and social structure of society and
20 to the personal and social responsibility of citizens of
21 this state, and shall not reflect initiatives, directives
22 or other standards developed through state consortiums,
23 nationally organized initiatives or by any other process
24 not originating in this state and following the

1 requirements of this subsection. Adoption of "common core
2 state standards", as defined in this subsection, by the
3 state board pursuant to paragraph (a)(iii) of this section
4 is prohibited. As used in this subsection, "common core
5 state standards" means any standards promulgated by or
6 based on the Common Core State Standard Initiatives,
7 including but not limited to Common Core State Standards
8 aligned standards and materials; or directives by the
9 Smarter Assessment Consortium; or the Next Generation
10 Science Standards; or any other standards written by and/or
11 copyrighted by the National Governors Association, Council
12 of Chief State School Officers, Achieve, Inc., or any other
13 testing consortium not originating in Wyoming. In addition
14 and not less than once every five (5) years, the board
15 shall evaluate and review the uniformity and quality of the
16 educational program standards ~~imposed under W.S. 21-9-101~~
17 ~~and 21-9-102~~ and the student content and performance
18 standards promulgated ~~under paragraph (a)(iii) of this~~
19 ~~section~~ through a deliberative process involving public
20 hearings and public input, ensuring the standards originate
21 in Wyoming and reflect the requirements of this subsection,
22 and shall report findings and recommendations to the joint
23 education interim committee of the legislature on or before
24 December 1 of the year in which the review and evaluation

1 was undertaken. The joint education interim committee shall
2 report its recommendations, based upon findings and
3 recommendations of the state board, to the legislature
4 during the immediately following legislative session.

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6 **Section 2.** W.S. 21-2-203(c)(ii)(C) is amended to
7 read:

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9 **21-2-203. School district data collection and funding**
10 **model administration; duties and responsibilities**
11 **specified; data advisory committee; school district**
12 **compliance.**

13

14 (c) The duties of the department are, in accordance
15 with rules promulgated by the director, to:

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17 (ii) Collect data from school districts
18 necessary for the department to administer the school
19 finance system and the statewide education accountability
20 system established under W.S. 21-2-204. In accomplishing
21 this, the department shall:

22

23 (C) Use existing data to establish
24 longitudinal data systems linking student achievement with

1 school principals and school district leaders, as necessary
2 for the statewide education accountability system.
3 Personally identifiable student or parent data, or any
4 information as contained in the statewide longitudinal data
5 system shall not be disseminated, shared, or transferred in
6 any way relating to, or to be used in connection with, the
7 common core state standards initiatives as defined in W.S.
8 21-2-304(c).

9

10 **Section 3.**

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12 (a) Section 7(a)(i)(A) and (ii)(A), Chapter 10, rules
13 and regulations of the Wyoming department of education,
14 prescribing Wyoming language arts and mathematics content
15 and performance standards, filed with the secretary of
16 state on November 6, 2013, shall not be enforced on and
17 after April 1, 2014. Such standards are contrary to W.S.
18 21-13-304(a)(iii) and (c), as amended under section 1 of
19 this act, and are common core state standards.

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21 (b) The secretary of state is directed to make
22 appropriate entries on the rules of the Wyoming department
23 of education on file with the official registry of
24 administrative rules and regulations, to indicate the rules

1 referred to in subsection (a) of this section are void and
2 unenforceable as provided in W.S. 28-9-107(c).

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4 **Section 4.** Effective April 1, 2014, and for purposes
5 of adhering to W.S. 21-2-304(c), as amended by section 1 of
6 this act, no member of the state board of education nor any
7 other state official or agency, as a representative of
8 Wyoming public schools, shall participate in the national
9 initiative known as the "common core state standards"
10 developed by the council of chief state school officers and
11 the national governors association, nor shall any such
12 member, official or agency representative participate in
13 the Smarter Assessment Consortium or other assessment
14 consortium which is based upon testing student proficiency
15 under the common core state standards as defined in W.S.
16 21-2-304(c) as amended in section 1 of this act.

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18 **Section 5.** In accordance with section 3 of this act,
19 upon entry of a final order by the district court of
20 Laramie County, Wyoming, without change of the final ruling
21 of the Wyoming Supreme Court issued January 28, 2014, in
22 the case of Kerry and Clara Powers, on behalf of themselves
23 and the citizens of Wyoming, and Cindy Hill, on behalf of
24 herself and as the Superintendent of Public Instruction v.

1 State of Wyoming and Matthew H. Mead, Governor, in his
2 official capacity [Docket No. S-13-0042], then upon
3 expiration of time for appeal of that order, or if appealed
4 upon issuance of a final order or mandate of the Wyoming
5 Supreme Court confirming the district court final order,
6 the legislative service office shall revise Wyoming
7 statutes as necessary to conform to the order as described
8 herein.

9

10 **Section 6.** 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)