

ENROLLED ACT NO. 64, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to the Wyoming Education in Accountability Act; exempting alternative schools from school level determinations required under the Wyoming Accountability in Education Act as specified; requiring assessment and refinement of alternative school accountability indicators; requiring a pilot of an alternative school accountability model as specified; requiring professional judgement panels; continuing operation of the alternative school technical advisory group; continuing operation of the select committee on statewide education accountability; requiring reports; appropriating funds; and providing for an effective date.

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

Section 1.

(a) The department of education shall commence development of an alternative school level accountability model to be piloted in school year 2016-2017. The model shall adhere, as closely as possible, to the recommendations contained in the "Wyoming Alternative School Accountability Framework: Recommendations from the Alternative Accountability Advisory Committee" report dated October 15, 2015, submitted by the technical advisory group pursuant to 2015 Wyoming Session Laws, Chapter 179, Section 5, to the select committee on statewide education accountability, and any additional recommendations by the technical advisory group in carrying out the duties required by this act. The department of education shall periodically report progress on development of the pilot required under this subsection to the technical advisory group, the select committee on statewide education accountability and the joint education interim committee. Data from the alternative schools operating in Wyoming

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pursuant to W.S. 21-13-309(m)(v)(B) shall be utilized to perform the pilot.

(b) For purposes of performing the pilot required by subsection (a) of this section, school level performance for alternative schools shall be determined by measurement of performance indicators and attainment of student performance. The indicators shall include academic performance, college and career readiness, student engagement and school climate. The indicators shall be measured in the following manner:

(i) Academic performance shall be measured by academic achievement and growth as specified by W.S. 21-2-204(c)(i) and (ii);

(ii) College and career readiness shall include a measure of progress in earning credits towards graduation and an attainment indicator to measure the extent to which students graduate and earn accomplishments associated with post secondary education;

(iii) Student engagement shall be measured by attendance and a school or a student success plan, consisting of a school or a student specific plan or set of objectives to accumulate evidence of positive engagement within and across school years;

(iv) School climate as measured by appropriate survey measures to determine the quality and character of school life.

(c) The department of education shall immediately commence drafting of proposed business rules to govern the pilot required under subsection (a) of this section and the

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alternative school accountability model. The department shall establish data collection requirements to populate the alternative school accountability model appropriately. The department shall also commence creation of an appropriate proposal for the school or the student success plan to be incorporated into the alternative school accountability model to measure student engagement. The department shall adhere, as closely as possible, to the recommendations contained in the "Wyoming Alternative School Accountability Framework: Recommendations from the Alternative Accountability Advisory Committee" report dated October 15, 2015, submitted by the technical advisory group, pursuant to 2015 Wyoming Session Laws, Chapter 179, Section 5, to the select committee on statewide education accountability, and as may be modified by additional recommendations by the technical advisory group in performance of the duties required under this act. Not later than July 1, 2016, the department of education shall submit a report to the technical advisory group, the select committee on statewide education accountability and the joint education interim committee containing proposed business rules, data collection requirements and a proposal for the student success plan required under paragraph (b)(iii) of this section. The report shall include any necessary modifications to finalize the indicators provided under subsection (b) of this section. The technical advisory group shall provide any necessary feedback and recommendations to the department of education, the select committee on statewide education accountability and the joint education interim committee within thirty (30) days of receipt of the report.

(d) Not later than school year 2017-2018, the state board of education, through the department, and with the assistance of the technical advisory group, shall compile,

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evaluate and determine the target levels for an overall school performance rating and for content level performance that are appropriate for alternative schools operating pursuant to W.S. 21-13-309(m)(v)(B). The board shall execute this determination through a prescribed deliberative process informed by a panel comprised of professionals with the appropriate expertise to establish target levels for performance to appropriately distinguish and recognize the varied levels of school performance associated specifically with the operation of alternative schools as measured by the indicators contained in subsection (b) of this section. Performance level targets shall be established to identify alternative school performance levels for exceeding expectations, meeting expectations, partially meeting expectations and not meeting expectations. The state board shall report periodically to the select committee on statewide education accountability and the joint education interim committee on the progress related to setting target levels associated with school performance rating required under this subsection and a final report shall be submitted no later than October 15, 2018.

(e) The state board of education shall, in consultation with the technical advisory group, study and develop recommendations related to the progressive multi-tiered system of support, interventions and consequences required under W.S. 21-2-204(f) specifically targeted to assist alternative schools, as necessary, for the four (4) levels of school performance to be established under subsection (d) of this section. The state board shall report any recommendations for modification, as may be necessary, pursuant to this subsection, to the select committee on statewide accountability and the joint

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education interim committee, no later than October 15, 2018.

(f) Notwithstanding any other provision of law, for school years 2016-2017 and 2017-2018 only, alternative schools operating under W.S. 21-13-309(m)(v)(B) shall receive informational reporting under the Wyoming Accountability in Education Act and shall be exempt from school level performance ratings and aggregate district scoring as computed and determined for schools in accordance with W.S. 21-2-204(e) and reported under W.S. 21-2-204(h).

Section 2.

(a) Notwithstanding 2015 Wyoming Session Laws, Chapter 179, Section 5(a), the alternative school technical advisory group shall continue to assist the select committee on statewide education accountability as the select committee deems necessary through December 31, 2018. The technical advisory group shall review and provide necessary feedback to the state board of education and the department of education as necessary in carrying out the duties assigned under section 1 of this act.

(b) Any member appointed or serving on the technical advisory group who is not an employee of a governmental subdivision or political subdivision, board or commission shall receive per diem and travel expenses in the manner and amount provided to state employees under W.S. 9-3-103. Reimbursement shall be from amounts appropriated under section 4(b) of this act.

(c) The legislative service office shall staff the technical advisory group. The legislative service office

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may retain consultants as necessary to staff and advise the technical advisory group and the select committee on statewide education accountability in execution of the duties prescribed under this act. The management council may expend funds appropriated by the legislature for approved contractual agreements between the council and professional consultants on behalf of the select committee.

Section 3.

(a) Notwithstanding any other provision of law, the select committee on statewide education accountability as created by 2011 Wyoming Session Laws, Chapter 184, Section 4 shall continue through December 31, 2018. The chairman of the senate education committee and the chairman of the house education committee shall continue to serve as cochairmen of the select committee. Members of the select committee shall be appointed as provided by 2011 Wyoming Session Laws, Chapter 184, Section 4(b) to serve on the select committee through December 31, 2018. Select committee members shall receive compensation, per diem and travel expense reimbursement in the manner and amount prescribed under W.S. 28-5-101. Payment shall be from amounts appropriated under section 4(c) of this act. The appointing authority for any member who vacates membership shall fill the vacancy.

(b) Following receipt of the final reports required under sections 1 and 2 of this act, the select committee on statewide education accountability and the joint education interim committee shall meet to consider the reports and any necessary enabling legislation.

Section 4.

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(a) For the period beginning upon the effective date of this section and ending June 30, 2019, six thousand five hundred dollars (\$6,500.00) is appropriated from the school foundation program account to the state board of education to convene the panel of professionals, required under section 1(d) of this act, to set target performance levels. This appropriation may be expended for per diem and mileage of any member who serves on the panel of professionals. The amounts appropriated under this subsection shall not be expended to secure meeting space or to pay for food, beverage or catering services. Any member appointed or serving on the panel who is not an employee of a governmental subdivision or a member of a political subdivision, board or commission shall receive per diem and mileage in the manner and amount provided to state employees under W.S. 9-3-103. Notwithstanding any other provision of law, the appropriation under this subsection shall not be transferred or expended for any purpose other than specified in this subsection. Any unexpended, unobligated funds remaining from the appropriation under this subsection shall revert as provided by law on June 30, 2019. Not later than December 31, 2018, the state board shall report expenditures of amounts appropriated under this subsection to the select committee on statewide education accountability and the joint education interim committee.

(b) For the period beginning upon the effective date of this section and ending June 30, 2019, three thousand five hundred dollars (\$3,500.00) is appropriated from the school foundation program account to the state board of education to provide support and administration of the technical advisory group continued under section 2 of this act. This appropriation may be expended for per diem and

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mileage of the technical advisory group. The amounts appropriated under this subsection shall not be expended to secure meeting space or to pay for food, beverage or catering services. Any member appointed or serving on a committee who is not an employee of a governmental subdivision or a member of a political subdivision, board or commission shall receive per diem and mileage in the manner and amount provided to state employees under W.S. 9-3-103. Notwithstanding any other provision of law, the appropriation under this subsection shall not be transferred or expended for any purpose other than specified in this subsection. Any unexpended, unobligated funds remaining from the appropriation under this subsection shall revert as provided by law on June 30, 2019. Not later than December 31, 2018, the state board shall report expenditures of amounts appropriated under this subsection to the select committee on statewide education accountability and the joint education interim committee.

(c) For the period beginning upon the effective date of this act and ending June 30, 2019, seventy thousand dollars (\$70,000.00) is appropriated from the school foundation program account to the legislative service office for necessary expenses of the select committee as continued under section 3 of this act, as necessary to carry out duties associated with the Wyoming Education in Accountability Act and this act.

ORIGINAL SENATE
FILE NO. SF0032

ENGROSSED

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Section 5. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk