

HOUSE BILL NO. HB0072

Statewide education accountability-phase II.

Sponsored by: Select Committee on Statewide Education  
Accountability

A BILL

for

1 AN ACT relating to the teacher accountability act of 2011;  
2 prescribing phased-in development of phase II of the  
3 statewide education accountability system addressing  
4 teacher and leader evaluation; specifying study parameters  
5 and timelines; imposing reporting requirements; and  
6 providing for an effective date.

7

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

9

10 **Section 1.** W.S. 21-2-304(b) (xv) and (xvi),  
11 21-3-110(a) (xvii), (xviii), (xix), (xxx) and (b),  
12 21-7-102(a) (ii) (A) and (B) and 21-7-110(a) (vii) are amended  
13 to read:

14

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

16

1 (b) In addition to subsection (a) of this section and  
2 any other duties assigned to it by law, the state board  
3 shall:

4  
5 (xv) Not later than July 1, ~~2013~~2016,  
6 promulgate rules and regulations for the implementation and  
7 administration of ~~an annual~~a comprehensive school district  
8 teacher performance evaluation system based in part upon  
9 defined student academic performance measures as prescribed  
10 by law, ~~and~~ upon longitudinal data systems linking student  
11 achievement with teachers of record and upon measures of  
12 professional practice according to standards for  
13 professional practice prescribed by board rule and  
14 regulation. The evaluation system shall clearly prescribe  
15 standards for highly effective performance, effective  
16 performance, performance in need of improvement and  
17 ineffective performance, and shall create guidelines to  
18 serve as a basis for school districts to define ~~teacher~~  
19 teachers of record for purposes of the teacher and school  
20 district leader evaluation and accountability system.  
21 Rules and regulations adopted under this paragraph shall to  
22 the extent the statewide accountability system is not  
23 compromised, allow districts the opportunity to refine the  
24 system to meet the individual needs of the district. The

1 performance evaluation system shall also include reasonable  
2 opportunity for state and district provision of mentoring  
3 and other professional development activities made  
4 available to teachers performing unsatisfactorily, which  
5 are designed to improve instruction and student  
6 achievement;

7  
8 (xvi) Not later than July 1, ~~2013~~2015,  
9 promulgate rules and regulations for implementation and  
10 administration of ~~an annual~~a performance evaluation system  
11 for school and district leadership, including  
12 superintendents, principals and other district or school  
13 leaders serving in a similar capacity. The performance  
14 evaluation system shall include reasonable opportunity for  
15 state and district provision of mentoring and other  
16 professional development activities made available to  
17 district administrative personnel performing  
18 unsatisfactorily, designed to improve leadership,  
19 management and student achievement;

20

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

22

23 (a) The board of trustees in each school district  
24 shall:

1

2 (xvii) Not later than school year ~~2013-2014~~  
3 2016-2017 and each school year thereafter, require the  
4 performance of each initial contract teacher to be  
5 evaluated ~~in writing at least twice annually~~ summatively  
6 based in part upon student achievement measures as  
7 prescribed by rule and regulation of the state board under  
8 W.S. 21-2-304(b) (xv). The teacher shall receive a copy of  
9 each evaluation of his performance;

10

11 (xviii) Not later than school year ~~2013-2014~~  
12 2016-2017 and each school year thereafter, establish a  
13 teacher performance evaluation system and require the  
14 performance of each continuing contract teacher to be  
15 evaluated ~~in writing at least once each year~~ summatively  
16 based in part upon student achievement measures as  
17 prescribed by rule and regulation of the state board under  
18 W.S. 21-2-304(b) (xv). The teacher shall receive a copy of  
19 each evaluation of his performance;

20

21 (xix) Not later than school year ~~2013-2014~~  
22 2016-2017 and each school year thereafter, based in part  
23 upon student achievement measures established by the state  
24 board of education under W.S. 21-2-304(b) (xv), performance

1 evaluations shall serve as a basis for improvement of  
2 instruction, enhancement of curriculum program  
3 implementation, measurement of both individual teacher  
4 performance and professional growth and development and the  
5 performance level of all teachers within the school  
6 district, and as documentation for unsatisfactory  
7 performance ~~for~~ that may lead to dismissal, suspension and  
8 termination proceedings under W.S. 21-7-110;

9  
10 (xxx) Not later than school year ~~2013-2014~~  
11 2015-2016 and each school year thereafter, in addition to  
12 paragraphs (xvii), (xviii) and (xix), require the  
13 performance of each school district leader, including  
14 superintendents and principals and other district or school  
15 leaders serving in a similar capacity to be evaluated in  
16 accordance with the statewide education accountability  
17 system established under W.S. 21-2-204. Not later than  
18 August 15, ~~2014-2016~~ and August 15 of each school year  
19 thereafter, in accordance with rules and regulations of the  
20 state board, the district board shall also provide the  
21 state board written reports verifying school district  
22 leader performance and providing performance scores  
23 necessary for continued employment;

24

1 (b) On or before ~~April 15, 2014~~ June 1, 2017 and June  
2 1 of each school year thereafter, each school district  
3 superintendent shall provide a report to the board of  
4 trustees identifying all teachers and on or before June 1,  
5 2016, and June 1 of each school year thereafter,  
6 identifying all school and district leaders within the  
7 district whose performance, through evaluations conducted  
8 under paragraphs (a)(xvii) through (xix) and (xxx) of this  
9 section, has been determined inadequate or unsatisfactory  
10 for that school year. The report shall include a summary  
11 of mentoring and other professional development activities  
12 made available to the identified school and district  
13 leaders and teachers to improve instruction and student  
14 achievement. Not later than ~~June 1, 2014~~ July 1, 2016 for  
15 school and district leaders, and July 1, 2017 for district  
16 teachers, and July 1 of each school year thereafter, the  
17 board shall file a report with the department of education  
18 certifying compliance with this subsection.

19

20 **21-7-102. Definitions.**

21

22 (a) As used in this article the following definitions  
23 shall apply:

24

1 (ii) "Continuing Contract Teacher":

2

3 (A) Any initial contract teacher who has  
4 been employed by the same school district in the state of  
5 Wyoming for a period of three (3) consecutive school years,  
6 has had his contract renewed for a fourth consecutive  
7 school year and, beginning school year ~~2013-2014~~ 2016-2017  
8 and each school year thereafter, has performed  
9 satisfactorily on performance evaluations implemented by  
10 the district under W.S. 21-3-110(a)(xvii) during this  
11 period of time; or

12

13 (B) A teacher who has achieved continuing  
14 contract status in one (1) district, and who without lapse  
15 of time has taught two (2) consecutive school years and has  
16 had his contract renewed for a third consecutive school  
17 year by the employing school district, and, beginning  
18 school year ~~2013-2014~~ 2016-2017 and each school year  
19 thereafter, has performed satisfactorily on performance  
20 evaluations conducted by both districts under W.S.  
21 21-3-110(a)(xvii) during this period of time.

22

1           **21-7-110. Suspension or dismissal of teachers;**  
2 **notice; hearing; independent hearing officer; board review**  
3 **and decision; appeal.**

4  
5           (a) The board may suspend or dismiss any teacher, or  
6 terminate any continuing contract teacher, for any of the  
7 following reasons:

8  
9           (vii) Beginning school year ~~2013-2014~~ 2016-2017  
10 and each school year thereafter, inadequate performance as  
11 determined through ~~annual~~ performance evaluation tied to  
12 student academic growth for at least two (2) consecutive  
13 years completed in accordance with W.S. 21-3-110(a)(xvii)  
14 through (xix);

15  
16           **Section 2.** W.S. 21-2-304(a)(v)(D), as amended by 2013  
17 Wyoming Session Laws, Chapter 1, Section 2 is amended to  
18 read:

19  
20           **21-2-304. Duties of the state board of education.**

21  
22           (a) The state board of education shall:  
23



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

16  
17           (D) Measure year-to-year changes in student  
18 performance and progress in the subjects specified under  
19 subparagraph (a)(v)(B) of this section, and not later than  
20 school year ~~2013-2014~~2016-2017, link student performance  
21 and progress to teachers of record and by school year  
22 2015-2016, link student performance and progress to school  
23 and district leaders, including superintendents, principals  
24 and other district or school leaders serving in a similar

1 capacity. The assessment system shall ensure the ~~integrity~~  
2 ~~of~~ student performance measurements used at each grade  
3 level ~~to enable~~ are valid for the purposes for which they  
4 are being used, including valid year-to-year comparisons of  
5 student and school level results, and shall be sufficient  
6 to ~~capture~~ produce necessary data to enable application of  
7 measures of performance indicators as required under W.S.  
8 21-2-204;

9

10 **Section 3.**

11

12 (a) Notwithstanding 2012 Wyoming Session Laws,  
13 Chapter 101, Section 6(c), the select committee on  
14 statewide education accountability, as created under 2011  
15 Wyoming Session Laws, Chapter 184, Section 4, and continued  
16 under 2012 Wyoming Session Laws, Chapter 101, Section 4,  
17 shall continue a study of a teacher and school district  
18 leader evaluation and accountability system. This system  
19 shall comprise phase II of the statewide education  
20 accountability system as initiated by 2011 Wyoming Session  
21 Laws, Chapter 184, Section 4(g). The design framework for  
22 the teacher and school district leader evaluation and  
23 accountability system shall:

24

1           (i) Support and promote improvement in student  
2 learning in Wyoming schools;

3

4           (ii) Be designed coherently to support a system  
5 of continuous school improvement, working seamlessly with  
6 phase I of the school accountability system established  
7 under W.S. 21-2-204 and fostering collaboration among  
8 teachers, administrators and other public education  
9 stakeholders;

10

11           (iii) Be designed and implemented with integrity  
12 and incorporate transparency necessary for all relevant  
13 participants to clearly understand expectations, including  
14 identification of an appropriate methodology to link  
15 student performance to teachers of record. The methodology  
16 for determination of teachers of record shall not require a  
17 one-to-one relationship between a single student and a  
18 single teacher;

19

20           (iv) Be designed to promote opportunities for  
21 meaningful professional growth of teachers and school  
22 district leaders;

23

1           (v) Allow for flexibility to fit local district  
2 and community contexts and needs.

3

4           (b) Using minimum requirements specified under 2012  
5 Wyoming Session Laws, Chapter 101, Section 6(c), the select  
6 committee, through the advisory committee established under  
7 2011 Wyoming Session Laws, Chapter 184, Section 4(d), and  
8 continued under 2012 Wyoming Session Laws, Chapter 101,  
9 Section 4(b), shall develop recommendations for the phase  
10 II teacher and school district leader evaluation and  
11 accountability system based upon evidence of student  
12 learning as well as measures of professional educator  
13 practice organized according to five (5) domains, each  
14 weighted relatively equally, and specified as follows:

15

16           (i) Learner development and learning differences  
17 and environments;

18

19           (ii) Content knowledge and application of  
20 content;

21

22           (iii) Instructional practice including  
23 assessment, planning for instruction and instructional  
24 strategies;

1

2 (iv) Professional responsibility including  
3 professional learning and ethical practice and leadership  
4 and collaboration;

5

6 (v) Evidence of student learning.

7

8 (c) Recommendations on the design framework for the  
9 teacher and leader evaluation and accountability system  
10 developed by the advisory committee pursuant to this  
11 section shall focus on creating coherence among school,  
12 leader and teacher evaluation systems. In addition,  
13 recommendations by the advisory committee shall establish  
14 design documents to effectively communicate requirements to  
15 school districts, to create guidance and provide training  
16 to districts in implementing evaluation systems with  
17 fidelity and to design systems and structures for  
18 professional learning opportunities. The design framework  
19 shall expand the three (3) levels of performance  
20 descriptors prescribed under 2012 Wyoming Session Laws,  
21 Chapter 101, Section 6(c)(v), to four (4) levels of  
22 performance descriptors, specified as follows:

23

24 (i) Highly effective performance;

1

2 (ii) Effective performance;

3

4 (iii) Performance in need of improvement; and

5

6 (iv) Ineffective performance.

7

8 (d) On or before October 15, 2013, the advisory  
9 committee shall report to the select committee on statewide  
10 education accountability recommendations on the design of a  
11 teacher and leader evaluation and accountability system.  
12 System recommendations shall be designed such that the  
13 leader evaluation and accountability system is completed  
14 prior to finalization of the teacher evaluation and  
15 accountability system to enable effective participation by  
16 school leaders in the final design of the teacher  
17 evaluation and accountability system. Recommendations  
18 under this subsection shall not be bound by and may  
19 recommend rescission of existing rules and regulations  
20 pertaining to certified personnel evaluation systems,  
21 specifically including chapter 29, department of education  
22 rules and regulations. Recommendations reported under this  
23 subsection shall be subject to the following timelines for  
24 system implementation and piloting:

1

2 (i) During school year 2013-2014, the design  
3 shall enable provision of required training and  
4 professional learning opportunities to leaders, school  
5 board members and teachers, enable communication of system  
6 requirements to key stakeholders and shall pilot data  
7 collection methods and pilot selected accountability and  
8 evaluation system components based upon a sample of  
9 volunteer school districts;

10

11 (ii) During school year 2014-2015, the design  
12 shall continue provision of professional learning  
13 opportunities for key stakeholders, allow for system design  
14 revision based upon results of the voluntary pilot  
15 implemented during school year 2013-2014 and shall pilot  
16 all components of the leader evaluation and accountability  
17 system in all school districts, and components of the  
18 teacher evaluation and accountability system in all school  
19 districts which may be structured in a manner that requires  
20 each school district to implement only a partial system  
21 comprised of selected components, but allows all teacher  
22 system components to be piloted through a collection of  
23 partial assessments in all school districts during this  
24 school year;

1

2 (iii) During school year 2015-2016, the design  
3 shall be reviewed and may be revised as necessary based  
4 upon the school year 2014-2015 pilot, continue provision of  
5 professional learning opportunities based on needs  
6 identified through the school year 2014-2015 pilot, conduct  
7 initial peer review of school district evaluation models  
8 according to guidelines for the peer review process as  
9 specified in the report required under subsection (e) of  
10 this section, disseminate to school districts best  
11 practices based upon peer review results and require all  
12 school districts to implement leader evaluation and  
13 accountability systems and to pilot all teacher system  
14 components;

15

16 (iv) During school year 2016-2017, the system  
17 design shall be reviewed and may be revised based upon the  
18 school year 2015-2016 pilot, continue provision of  
19 professional learning opportunities based upon needs  
20 identified in the school year 2015-2016 pilot, conduct a  
21 second peer review of school district evaluation models as  
22 specified in the report required under subsection (e) of  
23 this section, disseminate to school district best practices  
24 based upon peer review results and require all school



1 districts to implement teacher evaluation and  
2 accountability systems and continue implementation of  
3 leader evaluation and accountability systems subject to  
4 system revisions based upon review of the 2015-2016 initial  
5 implementation year.

6

7 (e) Based upon the report and recommendations  
8 submitted by the advisory committee, the select committee  
9 shall report its findings and recommendations, including  
10 necessary enabling legislation, to the legislature for  
11 consideration during the 2014 budget session.

12

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

17

18

(END)