

## HOUSE BILL NO. HB0019

Statewide student assessment.

Sponsored by: Select Committee on Statewide Education  
Accountability

A BILL

for

1 AN ACT relating to statewide student assessment; modifying  
2 the statewide student assessment requirements; requiring  
3 administration of the statewide student assessment in  
4 specified grades and subjects; requiring the statewide  
5 student assessment system to include interim assessments as  
6 specified; eliminating the requirement for school districts  
7 to administer common benchmark adaptive assessments;  
8 clarifying administration of the college entrance  
9 examination; replacing the job skills assessment with a  
10 career readiness examination as specified; eliminating  
11 administration of the college placement assessment;  
12 conforming phase I school accountability requirements;  
13 conforming phase II effective date; requiring reports;  
14 requiring studies; continuing operation of the advisory  
15 committee to the select committee on statewide education

1 accountability; appropriating funds; and providing for  
2 effective dates.

3

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

5

6           **Section**                           **1.** W.S.                           21-2-202 (a) (xxx),  
7 21-2-204 (c) (ii) (A) (I),   (II)   and   (iv),   21-2-304 (a) (iv),  
8 (v) (B) through (E) and by creating new subparagraphs (J)  
9 and (K) and 21-3-110 (a) (xxiv) and (xxix) are amended to  
10 read:

11

12           **21-2-202. Duties of the state superintendent.**

13

14           (a) In addition to any other duties assigned by law,  
15 the state superintendent shall:

16

17                           (xxx) Effective school year ~~2012-2013~~ 2017-2018  
18 and each school year thereafter, in consultation and  
19 coordination with local school districts, by rule and  
20 regulation establish a program of administering a  
21 standardized, ~~curriculum-based, achievement~~ college  
22 entrance examination, ~~computer adaptive college placement~~  
23 ~~assessment and a job skills assessment test~~ and a career

1 readiness examination selected by the state superintendent  
2 to all students in the eleventh and twelfth grades  
3 throughout the state in accordance with this paragraph. The  
4 examinations ~~and tests~~ selected by the state superintendent  
5 shall be administered throughout the United States and  
6 shall be relied upon by institutions of higher education.  
7 The college entrance examination shall at a minimum test in  
8 the areas of English, reading, writing, and mathematics ~~and~~  
9 ~~science~~ for all students in grade eleven (11). The ~~jobs~~  
10 ~~skills assessment test~~ career readiness examination shall  
11 be optional for all students in grade eleven (11) or twelve  
12 (12). ~~and shall at a minimum test in the areas of applied~~  
13 ~~math, reading for information and locating information.~~ The  
14 state superintendent shall pay all costs associated with  
15 administering the college entrance examination, ~~the~~  
16 ~~computer adaptive college placement assessment~~ and the ~~jobs~~  
17 ~~skills assessment test~~ career readiness examination and  
18 shall schedule a day or days during which examinations  
19 shall be provided. The date or dates for statewide  
20 administration of the college entrance examination in grade  
21 eleven (11) and the career readiness examination shall be  
22 established by the state superintendent in a manner that  
23 best meets the needs of students and school districts. ~~The~~

1 ~~computer adaptive college placement assessment shall be~~  
2 ~~optional and all students in grade twelve (12) shall be~~  
3 ~~provided at least one (1) opportunity to take the~~  
4 ~~assessment during the school year.~~ The state superintendent  
5 may enter into agreements with an administrator of the  
6 college entrance examination and the ~~computer adaptive~~  
7 ~~college placement assessment and an administrator of the~~  
8 ~~jobs skills assessment test~~ career readiness examination  
9 and adopt rules as necessary to ensure compliance with any  
10 requirements of an administrator, such as a secure  
11 environment. ~~Waivers may be granted for the examinations~~  
12 ~~and tests required by this paragraph for students with~~  
13 ~~disabilities in accordance with the provisions of the~~  
14 ~~federal No Child Left Behind Act of 2001 and the federal~~  
15 ~~Individuals with Disabilities Education Act.~~ Alternate  
16 assessments and accommodations shall be offered by the  
17 state superintendent in accordance with rule and  
18 regulation;

19

20 **21-2-204. Wyoming Accountability in Education Act;**  
21 **statewide education accountability system created.**

22

1           (c) School level performance shall be determined by  
2 measurement of performance indicators and attainment of  
3 student performance as specified by this section. To the  
4 extent applicable, each measure shall be aggregated to the  
5 school level based upon those grades served inclusive to  
6 each school as reported by the respective school district  
7 to the department of education. The indicators of school  
8 level performance shall be:

9

10           (ii) Student academic achievement in reading,  
11 mathematics and science as measured by:

12

13           (A) The statewide assessment administered  
14 under W.S. 21-2-304(a) (v) in:

15

16           (I) ~~Reading~~ English language arts and  
17 mathematics in grades three (3) through ~~eight (8)~~ ten (10);

18

19           (II) Science in grades four (4), ~~and~~  
20 eight (8) and ten (10);

21

22           (iv) Readiness, as defined by a standardized  
23 ~~achievement~~—college entrance examination administered

1 pursuant to W.S. 21-2-202(a)(xxx) in grade eleven (11),  
2 together with a readiness indicator defined by a series of  
3 student eligibility data reports generated under the  
4 Hathaway student scholarship program established by W.S.  
5 21-16-1301 through 21-16-1310, with school level results  
6 aggregated according to a procedure in which values and  
7 weights determined by a deliberate method are tied to  
8 specified definitions of post secondary readiness;

9

10 **21-2-304. Duties of the state board of education.**

11

12 (a) The state board of education shall:

13

14 (iv) ~~Effective school year 2013-2014, and each~~  
15 ~~school year thereafter, require district administration of~~  
16 ~~common benchmark adaptive assessments statewide in reading~~  
17 ~~and mathematics for grades one (1) through eight (8) in~~  
18 ~~accordance with W.S. 21-3-110(a)(xxiv). The board shall~~  
19 ~~also establish,~~ In consultation with local school  
20 districts, establish requirements for students to earn a  
21 high school diploma as evidenced by course completion and  
22 as measured by each district's assessment system prescribed  
23 by rule and regulation of the state board and required

1 under W.S. 21-3-110(a)(xxiv). Once every five (5) years and  
2 on a staggered basis, the state board shall through the  
3 department, review and approve each district's assessment  
4 system designed to determine the various levels of student  
5 performance as aligned with the uniform state standards and  
6 the attainment of high school graduation requirements as  
7 evidenced by course completion. In addition and following  
8 review, refinement and revision of student content and  
9 performance standards adopted under paragraph (a)(iii) of  
10 this section and reviewed under subsection (c) of this  
11 section, the board shall establish a process to ensure  
12 district assessment systems are aligned with the refined  
13 and revised standards within three (3) full school years  
14 following adoption of revised standards;

15

16 (v) Through the state superintendent and in  
17 consultation and coordination with local school districts,  
18 implement a statewide assessment system comprised of a  
19 coherent system of measures that when combined, provide a  
20 reliable and valid measure of individual student  
21 achievement for each public school and school district  
22 within the state, and the performance of the state as a  
23 whole. Statewide assessment system components shall be in

1 accordance with requirements of the statewide education  
2 accountability system pursuant to W.S. 21-2-204.  
3 Improvement of teaching and learning in schools, attaining  
4 student achievement targets for performance indicators  
5 established under W.S. 21-2-204 and fostering school  
6 program improvement shall be the primary purposes of  
7 statewide assessment of student performance in Wyoming. The  
8 statewide assessment system shall:

9  
10 (B) Effective school year ~~2012-2013~~  
11 2017-2018, and each school year thereafter, be administered  
12 in specified grades aligned to the student content and  
13 performance standards, specifically assessing student  
14 performance in ~~reading~~ English language arts and  
15 mathematics ~~at~~ in grades three (3) through ~~eight (8)~~ ten  
16 (10). In addition, the statewide assessment system shall  
17 assess student performance in science in grades four (4) ,  
18 ~~and~~ eight (8) and ten (10);

19  
20 (C) ~~In addition to subparagraph (a)(v)(B)~~  
21 ~~of this section~~ To the extent practical, measure student  
22 performance in Wyoming on a comparative basis with student  
23 performance ~~nationally~~ in other states;



1

2 (D) Measure year-to-year changes in student  
3 performance and progress in the subjects specified under  
4 subparagraph (a) (v) (B) of this section and by school year  
5 ~~2015-2016~~ 2018-2019, link student performance and progress  
6 to school and district leaders, including superintendents,  
7 principals and other district or school leaders serving in  
8 a similar capacity. The assessment system shall ensure the  
9 student performance measurements used at each grade level  
10 are valid for the purposes for which they are being used,  
11 including valid year-to-year comparisons of student and  
12 school level results, and shall be sufficient to produce  
13 necessary data to enable application of measures of  
14 performance indicators as required under W.S. 21-2-204;

15

16 (E) ~~Use only multiple choice items to~~  
17 ~~ensure alignment~~ Include interim assessments aligned to  
18 the statewide content and performance standards and the  
19 statewide summative assessment. The interim assessments  
20 required by this subparagraph shall be optional for school  
21 districts to administer as a part of the district  
22 assessment system. The state board shall ensure results  
23 from the optional interim assessments are provided to

1 school districts as soon as possible after completion of an  
2 interim assessment. All item types used on the statewide  
3 student summative assessment shall be included in interim  
4 assessments to the extent practical within the reporting  
5 timeline;

6  
7 (J) Require no more than one percent (1%)  
8 of the total pupil-teacher contact time, as defined by the  
9 state board for each school year, for student participation  
10 in a nonaccommodated administration of the statewide  
11 summative assessment. The statewide summative assessment  
12 shall be administered as late as practical in the  
13 instructional year and shall be administered to allow for  
14 the return of results in sufficient time for schools and  
15 districts to utilize the results for improvement  
16 strategies. To the extent possible, the statewide summative  
17 assessment shall be administered utilizing an online  
18 platform;

19  
20 (K) Include a reporting system utilizing  
21 current data visualization and assessment literacy  
22 techniques to ensure useful, high quality and transparent  
23 reports to support improvement strategies.

1

2           **21-3-110. Duties of boards of trustees.**

3

4           (a) The board of trustees in each school district  
5 shall:

6

7                   (xxiv) Establish a student assessment system to  
8 measure student performance relative to the uniform student  
9 content and performance standards in all content areas for  
10 which the state board has promulgated standards pursuant to  
11 W.S. 21-2-304(a)(iii). To the extent required by W.S.  
12 21-2-204 and 21-2-304(a)(vi), the district assessment  
13 system shall be integrated with the statewide assessment  
14 system and the statewide accountability system. Components  
15 of the district assessment system required by this  
16 paragraph shall be designed and used to determine the  
17 various levels of student performance in all content areas  
18 of the uniform student content and performance standards  
19 relative to the common core of knowledge and skills  
20 prescribed under W.S. 21-9-101(b). The district shall  
21 report to the state board in accordance with W.S.  
22 21-2-304(a)(iv) on its assessment system established under  
23 this paragraph. ~~Beginning school year 2013-2014 and each~~

1 ~~school year thereafter, a component of the district~~  
2 ~~assessment system shall include common benchmark adaptive~~  
3 ~~assessments for reading and mathematics in grades two (2)~~  
4 ~~through eight (8), common to all districts statewide,~~  
5 ~~administered at least two (2) times during any one (1)~~  
6 ~~school year and administered once in grade one (1). An~~  
7 ~~additional component of the district assessment system~~  
8 ~~shall continue the longitudinal study of summer school~~  
9 ~~program effectiveness which uses a single common benchmark~~  
10 ~~adaptive assessment in~~ The reading and mathematics  
11 ~~administered for~~ components of the district assessment  
12 system at the appropriate grades shall be used as part of  
13 the systematic evaluation of the summer school and extended  
14 day intervention and remediation programs in accordance  
15 with W.S. 21-13-334(h) (iv);

16

17 (xxix) Beginning in school year ~~2012-2013~~  
18 2017-2018, and each school year thereafter, administer a  
19 program where all students enrolled in the eleventh and  
20 twelfth grades in the district shall be required to take  
21 or be provided the opportunity to take, on a date or dates  
22 specified by the state superintendent, a standardized,  
23 ~~curriculum based, achievement~~ college entrance examination,

1 ~~a computer adaptive college placement assessment or for~~  
2 ~~students enrolled in eleventh or twelfth grade, a jobs~~  
3 ~~skills assessment test~~ or a career readiness examination in  
4 accordance with W.S. 21-2-202(a)(xxx). Each school district  
5 shall provide the opportunity for all home school and  
6 private school students in the eleventh and twelfth grades  
7 and residing within the district to take the examinations  
8 ~~or for students in the eleventh or twelfth grade, the jobs~~  
9 ~~skills assessment test,~~ at no cost to the student on the  
10 same date or dates administered to all eleventh and twelfth  
11 grade public school students in the state. The results of  
12 the examinations ~~or jobs skills assessment test taken~~ may  
13 be included in each student's transcript;

14

15 **Section 2.** W.S. 21-2-204(c)(ii)(B) and (iii) is  
16 repealed.

17

18 **Section 3.**

19

20 (a) Notwithstanding 2015 Wyoming Session Laws,  
21 Chapter 179, Section 4(b), the advisory committee shall  
22 continue to assist the select committee on statewide  
23 education accountability as the select committee deems

1 necessary through December 31, 2016. The members appointed  
2 under 2011 Wyoming Session Laws, Chapter 184, Section 4(d),  
3 as amended by 2013 Wyoming Session Laws, Chapter 195,  
4 Section 3, shall continue to serve on the advisory  
5 committee. The appointing authority for any member who  
6 vacates membership shall fill the vacancy. Any member  
7 appointed or serving on the advisory committee who is not  
8 an employee of a governmental subdivision or a member of a  
9 political subdivision, board or commission shall receive  
10 per diem and travel expenses in the manner and amount  
11 provided to state employees under W.S.9-3-103.

12

13 (b) The legislative service office shall staff the  
14 select committee on statewide education accountability and  
15 the advisory committee. The department of education and  
16 other state agencies shall provide information and other  
17 assistance as requested by the select committee or the  
18 advisory committee. The legislative service office may  
19 retain consultants as necessary to staff and advise the  
20 select committee in executing the responsibilities  
21 prescribed by this act. The management council may expend  
22 funds appropriated by the legislature for approved

1 contractual agreements between the council and professional  
2 consultants on behalf of the select committee.

3

4 **Section 4.**

5

6 (a) The state board of education, through the state  
7 superintendent, shall commence development of a statewide  
8 student assessment system meeting the minimum requirements  
9 of W.S. 21-2-304(a)(v), as amended by section 1 of this  
10 act, and any applicable federal law in sufficient time for  
11 administration during the 2017-2018 school year.

12

13 (b) In drafting a request for proposal (RFP) to  
14 commence development and implementation of a statewide  
15 student assessment system, as required by subsection (a) of  
16 this section, to the extent practical, the state board of  
17 education, through the state superintendent, shall utilize  
18 the recommendations contained in the report submitted by  
19 the Wyoming assessment task force to the select committee  
20 on statewide education accountability dated October 15,  
21 2015, pursuant to 2015 Wyoming Session Laws, Chapter 179,  
22 Section 6.

23

1           (c) At least thirty (30) days prior to issuing a RFP  
2 to commence development and implementation of a statewide  
3 student assessment system required by subsection (a) of  
4 this section, the state board shall submit the proposed RFP  
5 to the select committee on statewide education  
6 accountability.

7

8           (d) Notwithstanding any other provision of law, for  
9 school year 2016-2017 only, the administration of the  
10 statewide student assessment for grades nine (9) and ten  
11 (10) required under W.S. 21-2-204 and 21-2-304(a)(v) shall  
12 include the ability to utilize constructed response items.

13

14           **Section 5.**

15

16           (a) The state board of education, through the state  
17 superintendent, shall convene committees of assessment  
18 specialists, as necessary, to review the recommendations  
19 contained in the report submitted by the assessment task  
20 force pursuant to 2015 Wyoming Session Laws, Chapter 179,  
21 Section 6.

22



1           (b) The committees shall determine the appropriate  
2 application or modification of the recommendations  
3 contained in the report regarding specialty assessments,  
4 including but not limited to alternative assessments for  
5 students with significant cognitive disabilities, English  
6 language proficiency assessments, early literacy  
7 assessments and career technical education assessments.

8  
9           (c) Not later than September 30, 2016, the state  
10 board shall report any recommendations related to the  
11 specialty assessments, together with any recommended  
12 statutory revisions, to the select committee on statewide  
13 education accountability.

14  
15           (d) The select committee on statewide education  
16 accountability shall report findings and recommendations to  
17 the legislature for consideration during the 2017 general  
18 session, including any necessary enabling legislation.

19  
20           **Section 6.** For the period beginning upon the  
21 effective date of this section and ending June 30, 2017,  
22 ten thousand dollars (\$10,000.00) is appropriated from the  
23 school foundation program account to the state board of

1 education to provide support and administration of the  
2 specialty assessment committees required under Section 5 of  
3 this act. This appropriation may be expended for per diem  
4 and other expenses of the committees. Any member appointed  
5 or serving on a committee who is not an employee of a  
6 governmental subdivision or a member of a political  
7 subdivision, board or commission shall receive per diem and  
8 travel expenses in the manner and amount provided to state  
9 employees under W.S. 9-3-103. Notwithstanding any other  
10 provision of law, the appropriation under this subsection  
11 shall not be transferred or expended for any purpose other  
12 than specified in this subsection. Any unexpended,  
13 unobligated funds remaining from the appropriation under  
14 this subsection shall revert as provided by law on June 30,  
15 2017. Not later than December 31, 2016, the state board  
16 shall report expenditures of amounts appropriated under  
17 this subsection to the select committee on statewide  
18 education accountability.

19

20 **Section 7.**

21

22 (a) Except as provided by subsection (b) of this  
23 section, this act is effective immediately upon completion

1 of all acts necessary for a bill to become law as provided  
2 by Article 4, Section 8 of the Wyoming Constitution.

3

4 (b) Section 1 and Section 2 of this act are effective  
5 July 1, 2017.

6

7

(END)