



**Certification Page
Regular and Emergency Rules**
Revised May 2014

Emergency Rules (After completing all of Sections 1 and 2, proceed to Section 5 below)

Regular Rules

1. General Information

a. Agency/Board Name Education, Department of		
b. Agency/Board Address 2300 Capitol Ave, Hathaway Bldg, 2nd Floor	c. City Cheyenne	d. Zip Code 82002-0206
e. Name of Contact Person Shelly Andrews	f. Contact Telephone Number 307-777-3781	
g. Contact Email Address shelly.andrews@wyo.gov	h. Adoption Date November 12, 2015	
i. Program General Agency, Board or Commission Rules		

2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

If "New," provide the Enrolled Act numbers and years enacted: **2015 Senate Enrolled Act No. 87**

c. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed
(Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification)

Chapter Number: 31	Chapter Name: Wyoming Graduation Requirements	<input checked="" type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

d. The Statement of Reasons is attached to this certification.

e. If applicable, describe the **emergency** which requires promulgation of these rules without providing notice or an opportunity for a public hearing:
 2015 SEA No. 87 eliminates the requirement for a high school diploma to provide an endorsement level (tiered diploma) on the student's transcript. It also eliminates district assessment system annual reporting but requires a review process as part of district accreditation. These changes are effective with the 2015-2016 school year and will impact those students who meet graduation requirements this fall and districts scheduled for the accreditation review in October. Emergency rules to implement revisions to Chapter 31 rules that align with the legislative changes were approved by the Governor on August 18, 2015. The department is requesting approval for a second 120 day period to provide additional time to promulgate regular rules that will address concerns voiced by the Legislative Service Office. The consequences of not providing the additional 120 day approval will result in a reversion to the requirement for schools to provide an endorsement on the student's transcript. Regular rules promulgation on these changes will take place during this second 120 day period.

3. State Government Notice of Intended Rulemaking

a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the Secretary of State: N/A
b. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Legislative Service Office: N/A
c. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Attorney General: N/A

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. Yes No N/A
b. A public hearing was held on the proposed rules. Yes No

If "Yes:"	Date:	Time:	City:	Location:

5. Final Filing of Rules

a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature: December 9, 2015
b. Date on which final rules were sent to the Legislative Service Office: December 9, 2015
c. Date on which a PDF of the final rules was electronically sent to the Secretary of State: December 9, 2015

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual <i>(Blue ink as per Rules on Rules, Section 7)</i>	
Printed Name of Signatory	Pete Gosar (or designee)
Signatory Title	President, State Board of Education
Date of Signature	December 9, 2015

7. Governor's Certification

I have reviewed these rules and determined that they:

- 1. Are within the scope of the statutory authority delegated to the adopting agency;
- 2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
- 3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

Attorney General: 1. Statement of Reasons; 2. Original Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; and 5. Memo to Governor documenting emergency (for emergency rules only).

LSO: 1. Statement of Reasons; 2. Copy of Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; 5. Electronic copy of rules (PDFs) emailed to Criss.Carlson@wvleg.gov; clean and strike/underscore; and 6. Memo to Governor documenting emergency (for emergency rules only).

SOS: 1. PDF of clean copy of rules; and 2. Hard copy of Certification Page as delivered by the AG.

**Wyoming Department of Education
Chapter 31
Graduation Requirements
Emergency Rules**

STATEMENT OF REASONS

2015 Session Laws, Chapter 179 (Senate Enrolled Act No. 87) eliminated the requirement for a high school diploma to provide an endorsement level stated on a student's transcript (tiered diploma). This legislation also eliminated district assessment system annual reporting and instead required a review process that is part of district accreditation. These changes were effective with the 2015-2016 school year and impacted those students who met graduation requirements this fall, and districts scheduled for accreditation and the external review process.

On August 14, 2015 the department submitted to the Governor a request for approval of emergency rules to immediately implement changes to Chapter 31 rules to support alignment with the legislative changes in 2015 Session Laws, Chapter 179. The revisions eliminated the tiered diploma requirement and eliminated the annual reporting requirement for the district assessment system. On August 18, 2015 the Governor approved emergency rules for 120 days.

On August 13, 2015 the department submitted to the Governor a request for approval to proceed with Chapter 31 Graduation Requirements regular rules promulgation. The Governor granted approval to proceed. The promulgation process moved forward and the board adopted the rules on October 8, 2015. On October 28, 2015 the state board approved a motion to rescind Chapter 31 regular rules adopted on October 8, 2015 based on concerns voiced by the LSO staff. Revisions to Chapter 31 rules will be re-written to address these concerns.

The current emergency rules expire on December 15, 2015. W.S. 16-3-103 (b) allows the readoption of similar emergency rules for a second 120-day period. This is necessary to retain the authority to align graduation requirements with 2015 Session Laws, Chapter 179 which eliminates the tiered diploma reporting. The additional 120-day period will support the department's need to modify the language in the revised rules and resubmit the documents to the Governor for approval to proceed with regular rules promulgation.

The consequences of not providing the additional 120-day approval will result in a reversion to the requirement for schools to provide an endorsement on the student's transcript. Regular rules promulgation on these changes will take place during this second 120-day period.

Wyoming Department of Education

Chapter 31

Wyoming Graduation Requirements

**EMERGENCY RULES ARE NO LONGER IN EFFECT 120 DAYS AFTER FILING
WITH THE SECRETARY OF STATE**

Section 1. **Authority.** These rules and regulations are promulgated under W.S. 21-2-304(a)(iv).

Section 2. **Applicability.** These rules and regulations pertain to the requirements for graduation from any public high school within any school district of this state. It is the intention of the state board of education to prescribe uniform student content and performance standards for the common core of knowledge and the common core of skills specified under W.S. 21-9-101(b) and to establish requirements for earning a high school diploma with which public schools (K-12) must comply.

Section 3. **Definitions.**

(a) Common Core of Knowledge. Areas of knowledge each student is expected to acquire at levels established by the state board of education.

(b) Common Core of Skills. Skills each student is expected to demonstrate at levels established by the state board of education. These skills may be integrated into the uniform student content and performance standards for the Common Core of Knowledge.

(c) School Years of English/Mathematics/Science/and Social Studies. With reference to Chapter 31, “school years” is defined as the credit earned during a school year which is synonymous with a Carnegie Unit of study that reflects the instructional time provided in a class calculated by multiplying the number of minutes a district uses for a class by the number of pupil-teacher contact days in the district calendar as approved by the state board of education.

Section 4. **High School Diploma.**

(a) Requirements for earning a high school diploma from any high school within any school district of this state shall include: The successful completion of the following components in grades nine (9) through twelve (12), as evidenced by passing grades or by the successful performance on competency-based equivalency examinations:

- (i) Four (4) school years of English;
- (ii) Three (3) school years of mathematics;
- (iii) Three (3) school years of science; and

(iv) Three (3) school years of social studies, including history, American government and economic systems and institutions. Business instructors may instruct classes on economic systems and institutions.

(b) Satisfactorily passing an examination on the principles of the Constitutions of the United States and the State of Wyoming.

Section 5. District Assessment System.

(a) Public school students shall be assessed in the uniform student content and performance standards at the level set by the state board of education in the following areas of knowledge and skills, emphasizing reading, writing and mathematics in grades one (1) through eight (8).

(b) The assessment system shall be designed to best meet the needs of individual Wyoming school districts for demonstrating whether or not students have mastered the common core of knowledge and skills as reflected in the uniform student content and performance standards as specified in Chapter 10 of the Wyoming Department of Education rules. The assessment system described in this section shall be designed for grades one (1) through twelve (12) and be aligned with the uniform state standards, both in terms of content and cognitive complexity.

(c) Districts shall provide students with disabilities accommodations in accordance with their individualized educational programs or 504 plans. These accommodations shall not substantially alter the character of the assessments used to measure student performance.

Wyoming Department of Education

Chapter 31

Wyoming Graduation Requirements

**EMERGENCY RULES ARE NO LONGER IN EFFECT 120 DAYS AFTER FILING
WITH THE SECRETARY OF STATE**

Section 1. Authority.

~~(a) These rules and regulations are promulgated under pursuant to the Wyoming Education Code of 1969 (as amended 2002) [W.S. 21-2-304 (a) (i) (ii) (iii) and (iv)].~~

Section 2. Applicability.

~~(a) These rules and regulations pertain to the requirements for graduation from any public high school within any school district of this state. It is the intention of the state board of education to prescribe uniform student content and performance standards for the common core of knowledge and the common core of skills specified under W.S. 21-9-101(b) and to establish requirements for earning a high school diploma with which public schools (K-12) must comply.~~

Section 3. Promulgation, Amendment, or Repeal of Rules.

~~(a) These rules and any amendments thereof shall become effective as provided by the Wyoming Administrative Procedures Act. (W.S. 16-3-101 through 16-3-115)~~

Section 4~~3~~. Definitions.

~~(a) Advanced Performance. The level of performance as defined in the performance standards level descriptors contained in the sets of uniform student content and performance standards established for the Common Core of Knowledge and Common Core of Skills. [W.S. 21-2-304 (a) (iii) and W.S. 21-9-101 (b)]~~

~~(b~~a~~) Common Core of Knowledge. Areas of knowledge each student is expected to acquire at levels established by the state board of education. [W.S. 21-9-101 (b)(i)]~~

~~(b~~b~~) Common Core of Skills. Skills each student is expected to demonstrate at levels established by the state board of education. [W.S. 21-9-101 (b)(iii)]. These skills may be integrated into the uniform student content and performance standards for the Common Core of Knowledge.~~

~~(d) Compensatory Approach. A compensatory approach for combining information allows higher scores on some measures (or standards) to offset (i.e., compensate for) lower scores on other measures. The most common example of the compensatory approach is the simple average. Within a single common core content area, students can use higher performance~~

on a particular standard, for example, to offset lesser performance on another standard and still be considered proficient in that content area (e.g., mathematics).

~~(e) Conjunctive Approach. A conjunctive approach requires that scores on all measures used must be above the criterion point (cut score) for the student to have met the overall standard. Students must be above the cut score in all common core content areas to meet the graduation requirement.~~

~~(f) Proficient Performance. The level of performance as defined in the performance standards level descriptors contained in the sets of uniform student content and performance standards established for the Common Core of Knowledge and Common Core of Skills. [W.S. 21-2-304 (a)(iii) and W.S. 21-9-101 (b)]~~

~~(g) School Years of English/Mathematics/Science/and Social Studies. With reference to Chapter 31, “school years” is defined as the credit earned during a school year which is synonymous with a Carnegie Unit of study that reflects the instructional time provided in a class calculated by multiplying the number of minutes a district uses for a class by the number of pupil-teacher contact days in the district calendar as approved by the State Board of Education. This instructional time is usually between 125 and 150 hours in a calendar school year.~~

~~(h) Standards for Graduation. The K-12 content standards contained in the uniform student content and performance standards established for the Common Core of Knowledge and Common Core of Skills. They define what students are expected to know and be able to do by the time they graduate. [W.S. 21-2-304 (a)(iii)]~~

~~Section 5. Wyoming Statutes.~~

~~(a) All public school districts, and the schools and personnel within those districts, must comply with the applicable statutes of the State of Wyoming.~~

~~Section 6. Wyoming State Board of Education Policies and Regulations.~~

~~(a) All public school districts, and the schools and personnel within those districts, must comply with applicable state board policies and regulations. (W.S. 21-2-304)~~

~~Section 7. Common Core of Knowledge and Common Core of Skills.~~

~~(a) All public school students shall be proficient in the uniform student content and performance standards at the level set by the state board of education in the following areas of knowledge and skills, emphasizing reading, writing and mathematics in grades one (1) through eight (8) (W.S. 21-9-101):~~

~~Common core of knowledge:~~

~~Reading/Language Arts;~~

~~Social Studies;~~

~~Mathematics;~~

~~Science;~~

~~Fine Arts and Performing Arts;~~

~~Physical Education;~~

~~Health and safety;~~

~~Humanities;~~

~~Career/vocational education;~~

~~Foreign cultures and languages;~~

~~Applied technology;~~

~~Government and civics including state and federal constitutions pursuant to W.S. 21-9-102.~~

~~Common core of skills:~~

~~Problem solving;~~

~~Interpersonal communications;~~

~~Keyboarding and computer applications;~~

~~Critical thinking;~~

~~Creativity;~~

~~Life skills, including personal financial management skills.~~

Section 84. High School Diploma.

(a) Requirements for earning a high school diploma from any high school within any school district of this state shall include:

The successful completion of the following components in grades nine (9) through twelve (12), as evidenced by passing grades or by the successful performance on competency-based equivalency examinations:

(i) Four (4) school years of English;

(ii) Three (3) school years of mathematics;

(iii) Three (3) school years of science; and

(iv) Three (3) school years of social studies, including history, American government and economic systems and institutions; ~~provided b~~ Business instructors may instruct classes on economic systems and institutions. ~~[W.S. 21-2-304 (a)(iii)]~~

(b) Satisfactorily passing an examination on the principles of the eConstitutions of the United States and the sState of Wyoming. ~~(W.S. 21-9-102)~~

~~(c) Evidence of proficient performance, at a minimum, on the uniform student content and performance standards for the common core of knowledge and skills specified under W.S. 21-9-101(a). A high school diploma shall provide for one (1) of the following endorsements which shall be stated on the transcript of each student:~~

~~(i) Advanced endorsement which requires a student to demonstrate advanced performance in a majority of the areas of the common core of knowledge and skills and proficient performance in the remaining areas of the specified common core of knowledge and skills, which include language arts, mathematics, science, social studies, health, physical education, foreign language, fine and performing arts, and career/vocational education, as defined by the uniform student content and performance standards;~~

~~(ii) Comprehensive endorsement which requires a student to demonstrate proficient performance in all areas of the common core of knowledge and skills, which include language arts, mathematics, science, social studies, health, physical education, foreign language, fine and performing arts, and career/vocational education, as defined by the uniform student content and performance standards;~~

~~(iii) General endorsement which requires a student to demonstrate proficient performance in a majority of the areas of the common core of knowledge and skills, which include language arts, mathematics, science, social studies, health, physical education, foreign language, fine and performing arts, and career/vocational education, as defined by the uniform student content and performance standards;~~

Section 95. District Assessment System.

(a) ~~Determination of proficient performance shall be demonstrated by the district and approved by the district board of trustees. [W.S. 21-2-304 (a)(iii) and (iv)].~~ Public school students shall be assessed in the uniform student content and performance standards at the level set by the state board of education in the following areas of knowledge and skills, emphasizing reading, writing and mathematics in grades one (1) through eight (8).

(b) The assessment system shall be designed to best meet the needs of individual Wyoming school districts for certifying demonstrating whether or not students have mastered the common core of knowledge and skills as embedded reflected in the uniform student content and performance standards as specified in W.S. 21-9-101(b) Chapter 10 of the Wyoming Department of Education rules. The assessment system described in this section shall be designed for grades nine (9) one (1) through twelve (12) and evaluated according to the following criteria: alignment, consistency, fairness, and standard setting be aligned with the uniform state standards, both in terms of content and cognitive complexity.

~~(i) Guidelines for each criterion shall be determined by the State Board of Education.~~

~~(b) Beginning school year 2014-2015, each district's assessment system shall include a measure or multiple measures for purposes of determining completion high school graduation requirements.~~

~~(c) At a minimum, districts shall use a compensatory approach for combining assessment information at the benchmark and standard level when determining whether students have met the performance requirements for each common core content area.~~

~~(d) Districts shall use a conjunctive approach for combining assessment information across common core of knowledge and skills content areas to determine whether students have met the graduation requirements.~~

~~(e) The district shall report to the state board in accordance with W.S. 21-2-304(a)(iv) on its assessment system on or before August 1, 2015, and each August 1 thereafter.~~

~~(f) All Wyoming school districts with a high school shall submit their assessment system documentation to the Wyoming Department of Education according to the following schedule:~~

~~(i) For the 2003-2004 school year and all following years, districts shall submit yearly updates to their documentation to the Wyoming Department of Education. For the 2004-2005 school year and all following years, this documentation shall include the student performance results relative to the district's assessment system including disaggregation of passing rates. Each school district shall submit the documentation required by this paragraph no later than August 1 of each year.~~

~~(gc) For special needs Districts shall provide students with disabilities include accommodations in accordance with their individualized educational programs or 504 plans, and the policies as described in the Policies for the Participation of All Students in District and Statewide Assessment and Accountability Systems, which is available from the Wyoming Department of Education, 2300 Capitol Avenue, Hathaway Building, 2nd Floor, Cheyenne,~~

~~Wyoming 82002-0050.~~ These accommodations shall not substantially alter the character of the assessments used to measure student performance.

Section 10. ~~Effective Date for Graduation Requirements.~~

~~(a) Beginning with the graduating class of 2003, each student who successfully completes the requirements set forth in Section 8(a) of this chapter will be eligible for a high school diploma. (W.S. 21-2-304(a)(iii) and (iv) and W.S. 21-9-102.) Thereafter, each student who demonstrates proficient performance on the uniform student content and performance standards for the common core of knowledge and skills listed in W.S. 21-9-101(a) of this chapter as set forth in Section 9 of this chapter and who also completes the requirements set forth in Section 8 of this chapter will be eligible for a high school diploma in accordance with the following timeline: (W.S. 21-2-304(a)(iii) and (iv) and W.S. 21-9-102.)~~

~~(b) Students graduating in 2006 and thereafter shall demonstrate proficient performance on the uniform student content and performance standards for language arts, mathematics, science, social studies, health, physical education, foreign language, career/vocational education and fine and performing arts as set forth in Section 8(e) of this chapter.~~