

Self-Assessment for Implementation of Senate Bill 10-191

Ensuring Quality Instruction through Educator Effectiveness

In May 2010, the Colorado legislature passed and Gov. Ritter signed SB 191, which establishes new requirements for local personnel evaluation systems. Among other requirements, this law requires that at least 50 percent of teachers' evaluation be determined by the academic growth of their students and at least 50 percent of principals' evaluation be determined by the academic growth of the students in the principal's school. The law codifies the State Council for Educator Effectiveness, a 15-member body comprised of representatives from key educator stakeholder groups, and charges the council with making recommendations to the state board of education by March 1, 2011 concerning the implementation of the new performance evaluation system. The state board is required to take action on the recommendations by September 2011. The new system must be beta-tested in 2012-13, implemented statewide in 2013-14, and finalized in 2014-15.

Link to the full text of the bill:

http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont3/EF2EBB67D47342CF872576A80027B078?open&file=191_enr.pdf

Timeline for Implementation:

	2010-11	2011-12	2012-13
State Council for Educator Effectiveness and State Board of Education	<ul style="list-style-type: none"> Council provides recommendations concerning implementation of new performance evaluation system based on quality standards (March). 	<ul style="list-style-type: none"> State board promulgates rules concerning implementation of new performance evaluation system based on quality standards (Sept). General Assembly approves and/or recommends changes to state board rules (Feb). 	
Colorado Department of Education	<ul style="list-style-type: none"> CDE gathers information about current personnel evaluation systems and assesses district needs. 	<ul style="list-style-type: none"> CDE makes available a resource bank that identifies assessments, processes, tools and policies that districts or BOCES may use to develop evaluation systems (Nov). 	
Districts and BOCES	<ul style="list-style-type: none"> Districts and BOCES ensure local evaluation systems adhere to current statutory requirements. 	<ul style="list-style-type: none"> Districts and BOCES ensure local evaluation systems adhere to statutory requirements that go into effect during 2011-12. 	<ul style="list-style-type: none"> New performance evaluation system based on quality standards will be implemented and tested as recommended by the state council.

SB 191 contains many timelines and lays out a sequence of activities and responsibilities. This document is intended to be a resource for district administrators to assess how well their personnel evaluation systems meet current statutory requirements and to prepare for the implementation of all requirements under SB 191. Several of the current requirements were required by law before SB 191 was passed. The checklist on the following pages is a self-assessment for districts to use to track progress in meeting statutory requirements; it does not need to be returned to CDE.

District Requirement Effective for 2010-11	Not Started	In Progress	Developed	District Requirement Effective at a Later Date
<p>Components of Local Evaluation System:</p> <p>All school districts and boards of cooperative services that employ licensed personnel must adopt a written system to evaluate the performance of all licensed personnel that includes the following components:</p> <ul style="list-style-type: none"> • Title or position of evaluator for each position evaluated; • Positions to be evaluated, which must include all licensed personnel, all part-time teachers, and all administrators and principals; • Frequency and duration of evaluations, which must be on regular basis and of such frequency and duration to ensure collection of sufficient amount of data from which reliable conclusions may be drawn; • Purposes of the evaluation; • Standards set by the local board for “satisfactory” performance and the criteria to be used to determine whether the performance of each person meets such standards and other criteria for evaluation of each personnel position evaluated; and • Methods of evaluation, which must include direct observations by an evaluator and a process of systematic data-gathering. 				<p>Effective once the SB 191 evaluation system is implemented statewide (as early as 2013-14), standards will no longer will be required to specify what constitutes “satisfactory” performance and will instead be required to specify the standards set by the local board for “effective” performance for licensed personnel and the criteria to be used to determine whether the performance of each licensed person meets such standards.</p>

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<p>Stakeholder Engagement:</p> <p>In developing an evaluation system, the local school board must consult with administrators, principals, teachers, parents and the local performance evaluation council. Local evaluation councils must actively participate with their local boards in developing written standards for evaluation that clearly specify “satisfactory” performance and the criteria to be used to determine whether the performance of each licensed person meets such standards.</p>				<p>Effective once the SB 191 evaluation system is implemented statewide (as early as 2013-14), the District Accountability Committee must provide input and recommendations concerning the assessment tools used to measure student academic growth as it relates to teacher evaluations.</p>
<p>Frequency of Evaluations:</p> <ul style="list-style-type: none"> • Probationary teachers must receive at least two documented observations and one evaluation that results in a written evaluation report each academic year <i>and must receive the written evaluation at least two weeks before the last class day of the school year.</i> [Note: receipt of evaluation at least two weeks prior to last class day is new requirement for 2010-11.] • Non-probationary teachers must receive at least one observation each year and one evaluation that results in a written evaluation report every three years. • Principals must receive one evaluation that results in a written evaluation report each academic year. [Note: <i>annual</i> evaluation for principals is a new requirement for 2010-11.] 				<p>Effective beginning 2012-13, non-probationary teachers must receive a written evaluation report at least two weeks before the last class day of the school year.</p>
<p>Purposes of Evaluations:</p> <p>Purposes of evaluations must include:</p> <ul style="list-style-type: none"> • Providing a basis for the improvement of instruction; • Enhancing the implementation of program or curriculum; • Providing the measurement of satisfactory performance for individual licensed personnel and serving as documentation for 				<p>Effective once the SB 191 evaluation system is implemented statewide (as early as 2013-14), a purpose of evaluations no longer must include measuring the level of “performance” of all personnel within the district and instead must include measuring the level of “effectiveness” of all licensed personnel within the district.</p>

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<p>an unsatisfactory performance dismissal proceeding;</p> <ul style="list-style-type: none"> • Serving as a measurement of the professional growth and development of licensed personnel; and • Measuring the level of performance of all personnel within the district. 				
<p>Standards for Measuring Teacher Performance:</p> <ul style="list-style-type: none"> • One standard must be directly related to classroom instruction and must include multiple measures of student performance; • Standards must be available in writing to all licensed personnel and communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation; and • Teacher evaluations may include any peer, parent or student input obtained from standardized surveys. 				<p>Effective once the SB 191 evaluation system is implemented statewide (as early as 2013-14):</p> <ul style="list-style-type: none"> • One of the standards for measuring teacher performance still must be directly related to classroom instruction, and also must require that at least 50 percent of the evaluation is determined by the academic growth of the teacher’s students; • Standards still must include multiple measures of student performance, in conjunction with student growth expectations; and • For the purposes of measuring effectiveness, expectations of student academic growth must take into consideration diverse factors, including but not limited to special education, student mobility, and high-risk student populations.
<p>Standards for Measuring Principal Performance:</p> <ul style="list-style-type: none"> • Principal evaluations must include input from the teachers employed in the principal’s school and may include input from the students enrolled in the school and their parents; and • Standards must be available in writing to all licensed personnel and communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation. 				<p>Every principal must be evaluated using multiple fair, transparent, timely, rigorous and valid methods. Recommendations from the state council on quality standards for principals must require that at least 50 percent of the evaluation is determined by the academic growth of the students enrolled in the principal’s school.</p> <p>For principals, the quality standards shall include, but need not be limited to:</p> <ul style="list-style-type: none"> • Achievement and academic growth for those students enrolled in the principal’s school, as measured by the Colorado Growth Model; • The number and percentage of licensed personnel in the principal’s school who are rated as effective or highly

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				<p>effective; and</p> <ul style="list-style-type: none"> The number and percentage of licensed personnel in the principal's school who are rated as ineffective but are improving in effectiveness. <p>[Note: SB 191 does not specify when these requirements for principal evaluations are to go into effect. The earliest practical year for implementation may be 2012-13, after the state council has made its recommendations and the quality standards have been established by state board rule, but districts may want to consult with their legal staff in determining when best to incorporate these standards.]</p>
<p>Components of Evaluation Reports:</p> <p>Evaluation reports issued upon completion of an evaluation must:</p> <ul style="list-style-type: none"> Be in writing; Contain a written improvement plan, that must be specific as to what improvements, if any, are needed in the performance of the licensed personnel and must clearly set forth recommendations for improvements, including recommendations for additional education and training during the teacher's or the principal's license renewal process; Be specific as to strengths and weaknesses in the performance of the individual being evaluated; Specifically identify when a direct observation was made; Identify data sources; Be discussed and signed by the evaluator and the person being evaluated (and include any attachments that the person being evaluated may wish to attach if he or she disagrees with any of the conclusions or recommendations made in the report); and Be reviewed by a supervisor of the evaluator, whose signature 				

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shall appear on the report.				
<p>Requirements for Evaluators:</p> <ul style="list-style-type: none"> • A local school board has the sole authority to evaluate the performance of the superintendent of the district; • Each principal or administrator who is responsible for evaluating licensed personnel must keep records and documents for each evaluation conducted; • Each principal and administrator who is responsible for evaluating licensed personnel must be evaluated as to how well he or she complies with statutory requirements and with the district’s evaluation system; and • No person shall be responsible for the evaluation of licensed personnel unless the person has a principal or administrator license <i>or is a designee of a person with a principal or administrator license</i> and has received education and training in evaluation skills approved by CDE that will enable him or her to make fair, professional and credible evaluations. [Note: permission for person with a principal or administrator license to designate an evaluator is a new statutory provision effective 2010-11.] 				
<p>Notice Requirements:</p> <ul style="list-style-type: none"> • A teacher or principal whose performance is deemed to be “unsatisfactory” must be given notice of deficiencies. • A remediation plan to correct the deficiencies must be developed by the district and the teacher or principal <i>and must include professional development opportunities that are intended to help the teacher or principal to achieve an effective</i> 				<p>Effective once the SB 191 evaluation system is implemented statewide (as early as 2013-14), it will no longer be required that a teacher or principal whose performance is deemed to be “unsatisfactory” must be given notice of deficiencies and a remediation plan to correct the deficiencies. Instead, a teacher or principal whose performance is deemed to be “ineffective” shall receive written notice that his or her performance evaluation shows a rating of “ineffective,” a copy of the documentation relied upon in</p>

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<p><i>rating in his or her next performance evaluation. [Note: the requirement for information about professional development opportunities is a new statutory provision effective 2010-11.]</i></p> <ul style="list-style-type: none"> The teacher or principal must be given a reasonable period of time to remediate the deficiencies and must receive a statement of the resources and assistance available for the purposes of correcting the performance or the deficiencies. 				<p>measuring his or her performance, and identification of deficiencies.</p> <p>For a non-probationary teacher, a remediation plan to correct the deficiencies shall be developed by the district and shall include professional development opportunities that are intended to help the non-probationary teacher to achieve an effective rating in his or her next performance evaluation. The non-probationary teacher shall be given a reasonable period of time to remediate the deficiencies and shall receive a statement of the resources and assistance available for the purpose of improving effectiveness. [Note: the requirements in this paragraph are repealed, effective February 15, 2013. Districts may want to consult with their legal staff in determining how best to respond to these provisions of SB 191.]</p>
<p>Follow-up to Remediation Plan:</p> <ul style="list-style-type: none"> Any person whose performance evaluation includes a remediation plan must be given an opportunity to improve his or her performance through the implementation of the plan. If the next performance evaluation shows that the person is performing “satisfactorily,” no further reaction shall be taken concerning the original performance evaluation. If the evaluation shows the person is still not performing “satisfactorily,” the evaluator shall either make additional recommendations for improvement or may recommend the dismissal of the person. 				<p>Effective once the SB 191 evaluation system is implemented statewide (as early as 2013-14), any person whose performance evaluation includes a remediation plan must be given an opportunity to improve his or her effectiveness through the implementation of the plan. If the next performance evaluation shows that the person is performing “effectively,” no further action shall be taken concerning the original performance evaluation. If the evaluation shows the person is still not performing “effectively,” he/she must receive written notice that his/her performance evaluation shows a rating of “ineffective,” a copy of the documentation relied upon in measuring the person’s performance, and identification of deficiencies.</p> <p>Each district must ensure that a non-probationary teacher who objects to a rating of “ineffectiveness” has an opportunity to appeal that rating, in accordance with a fair and transparent process developed, where applicable, through collective bargaining. At a minimum, the appeal process must allow a non-probationary teacher to appeal the rating of ineffectiveness to the superintendent or</p>

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				<p>his/her designee of the school district and must place the burden upon the non-probationary teacher to demonstrate that a rating of “effectiveness” was appropriate. The appeal process shall take not longer than 90 days, and the non-probationary teacher must not be subject to a possible loss of non-probationary status until after a final determination regarding the rating of “ineffectiveness” is made. For a person who receives a performance rating of “ineffective,” the evaluator must either make additional recommendations for improvement or may recommend the dismissal of the person, which dismissal must be in accordance with the provisions of Article 63. Where a collective bargaining agreement is in place, either party may choose to opt into this process. The superintendent’s designee must not be the principal who conducted the evaluation. [Note: The requirements in this paragraph are repealed, effective February 15, 2013. Districts may want to consult with their legal staff in determining how best to respond to these provisions of SB 191.]</p>