



**COLORADO**  
Department of Education

# **Educator Evaluation System Support and Review**

## **Submitting a Request to Review a District's Educator Evaluation System**

**For questions contact:**

Educator Effectiveness Office

[Educator\\_effectiveness@cde.state.co.us](mailto:educator_effectiveness@cde.state.co.us)

**Colorado Department of Education  
Unit of Educator Effectiveness  
6000 East Evans Avenue, Building #2, Suite 100,  
Denver, CO 80222**

## Process for Submitting a Request to Review a District Educator Evaluation System

### BACKGROUND AND PURPOSE

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In 2010, the Colorado General Assembly adopted S.B. 10-191, a comprehensive overhaul of the state's educator evaluation system and processes. The new act put in place annual evaluations for all licensed personnel. The act and accompanying rules provided standards and criteria for quality educator evaluation systems that local district evaluation systems must meet or exceed. Full implementation of the new educator evaluation systems began in the 2013-14 school year.

The Colorado Department of Education (CDE) is responsible for providing support to districts in implementing quality evaluation systems that meet the requirements of the law. This support includes providing a model educator evaluation system that districts can adopt, providing training and technical assistance, and making available a range of resources and tools for district use. In addition, the department is required to monitor on an ongoing basis districts' adherence to the requirements of educator evaluation systems as outlined in law and rules. Section 6.04 (D) of the Rules for the Administration of a Statewide System to Evaluate the Effectiveness of Licensed Personnel Employed by School Districts and BOCES (1 CCR 301-87) provides authority for CDE to monitor and review districts' educator evaluation systems, including those using the State Model Educator Evaluation System and those using locally-developed systems.

In 2013, the legislature adopted H.B. 13-1257 which further codified the support and monitoring functions of the department, including the responsibility to respond to requests for review of local educator evaluation systems. The statute provides an avenue for interested parties to submit requests to the department to review a district's locally-developed educator evaluation system for adherence to the law.

This document outlines the process for parties to request a review of a district's educator evaluation system. The aim of this process is to be responsive to valid concerns that may be raised by interested parties and to support districts in improving the quality of their educator evaluation systems. This process is fundamentally about providing districts the support needed to implement quality educator evaluation systems.

### STATUTORY AND REGULATORY AUTHORITY

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Section 22-9-106(1.5), C.R.S. and section 6.04 (D), 1 CCR 301-87 authorize the department to conduct a thorough review of a district's or BOCES's processes and procedures for implementation of an educator evaluation system when either: (1) the district or BOCES has developed its own distinctive educator evaluation system and an interested party submits a request to review the system; or (2) the district or BOCES has developed its own distinctive system or adopted the State Model System and the department has collected data about the system that indicates the system does not meet the objectives of the law. The two authorizing sections of the law are below.

**STATUTE: Section 22-9-106(1.5), C.R.S.**

*(a) If a school district or board of cooperative services develops its own local licensed personnel evaluation system, the local board or board of cooperative services or any interested party may submit to the department, or the department may solicit and collect, data related to said personnel evaluation system for review by the department.*

*(b) The department shall monitor school districts' and boards of cooperative services' implementation of the requirements for local licensed personnel evaluation systems. If, upon initial review by the department, the data submitted or collected pursuant to paragraph (a) of this subsection (1.5) indicates that a school district or board of cooperative service is unable to implement a local licensed personnel evaluation system that meets the objectives of this article, the department shall conduct a more thorough review of the school district's or board of cooperative services' processes and procedures for said evaluation system to ensure that it is professionally sound; results in fair, adequate, and credible evaluations; satisfies the quality standards established by rule of the state board in a manner that is appropriate to the size, demographics, and location of the local board or board of cooperative services; and is consistent with the goals, objectives, and intent of this article.*

**RULE: 1 CCR 301-87, section 6.04(D)**

*When data collected by the Department indicates that a School District or BOCES is unable to implement a local evaluation system that meets the objectives of the Licensed Personnel Evaluations Act, section 22-9-101, C.R.S., et seq., the Department will conduct a more thorough review of the School Districts' or BOCES' processes and procedures for its licensed personnel evaluation system to assure that the system is professional, sound, results in fair, adequate, and credible evaluation, satisfies the Quality Standards in a manner that is appropriate to the size, demographics, and location of the School District or BOCES, and is consistent with the purposes of Article 22.*

*Pursuant to section 22-11-206 (4) (b), C.R.S., if the Department has reason to believe that a School District is not in substantial compliance with one or more of the statutory or regulatory requirements that applies to School Districts, the Department shall notify the local school board that it has ninety days after the date of notice to come into compliance. If, at the end of the ninety-day period, the Department finds that the School District is not substantially in compliance with the applicable statutory or regulatory requirements, the School District may be subject to the interventions specified in article 11 of title 22, Colorado Revised Statutes.*

**NATURE OF REVIEW**

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Statute and rules outline the requirements for local evaluation systems and the criteria for the department's review. Statute, in section 22-9-106, C.R.S., and the State Board of Education's rules, in section 5 of 1 CCR 301-87, specify the requirements for local evaluation systems, which the department will use to review local systems.

If a request for review is submitted, CDE will have the discretion to determine whether the subject of the review has already been addressed by a prior request for review. If CDE determines the review has already been completed and addressed through a previous process, CDE may respond to the requestor with information about the prior determination and/or resolution.

Please note that this review process is not applicable to complaints concerning a teacher’s individual rating or evaluation experience. A teacher must use his/her district’s or BOCES’s appeal process to appeal an individual rating pursuant to section 22-9-106(4.5)(b), C.R.S.

Also note that this process does not apply to the particular evaluation procedures in individual schools, but rather, to a local evaluation system, as a whole, in accordance with the scope of review authorized by section 22-9-106(1.5) C.R.S., and section 6.04(D) of 1 CCR 301-87.

### **BEFORE SUBMITTING A REQUEST FOR REVIEW (For interested party requests)**

Before submitting a request for review, an interested party must complete the following initial checklist. This checklist does not apply to districts or BOCES that are requesting reviews of their locally-developed systems.

To be considered by the department, the request from an interested party must:

- Be from a person or group of persons who are directly impacted by the evaluation system;
- Pertain to evaluation *system* concerns, **not** to an individual concern. Concerns about how a particular individual was evaluated must go through a local grievance or appeal process;
- Have gone through appropriate district channels first. The requestor must have attempted to have the concern with the local evaluation system resolved through appropriate district channels (such as personnel committees, the superintendent or the local school board) prior to bringing the request for review to the state;
- Have identified the specific areas of concern using the system assurances checklist (Appendix A) and provided documentation that substantiates the noted concerns; and
- Be related to the statutory and regulatory requirements.

### **PROCESS FOR SUBMITTING A REQUEST FOR REVIEW**

1. Complete the request for review form (Attached)
2. Attach documentation
3. Send in form and documentation via mail and email to: [Educator\\_Effectiveness@cde.state.co.us](mailto:Educator_Effectiveness@cde.state.co.us)

### **RESPONSIBILITIES AND PROCESS OF CDE TO REVIEW**

**For District/BOCES-submitted requests for review of their locally-developed systems, CDE will:**

1. Work with the district/BOCES to obtain the necessary documentation to ensure a thorough review of the district/BOCES’ educator evaluation system.
2. Establish appropriate meetings and/or on-site visits to the district/BOCES as part of the review process.
3. Conduct the review, which as noted above, could include an onsite visit.
4. Provide a summary of the state’s review to the Superintendent or BOCES Director noting any findings and providing recommendations for improvement, including timelines for addressing any findings.

**For interested parties submitting a request for review, CDE will:**

1. Notify the interested party of receipt of the request and inform the relevant district/BOCES that a request for review of their system has been received. The notification will inform both parties of the process that CDE will be engaged in to review the concern. Notification will also be sent to relevant State Board of Education members for information purposes.
2. Review the request to determine whether there is a valid concern to be addressed. Within 10 business days, CDE will notify both the requestor and the district/BOCES whether CDE will take further action investigating the request. CDE has the discretion to adapt timeframes, as appropriate.
3. If CDE determines that there is a valid concern, CDE will conduct initial data gathering to inform the review of the concern. CDE will submit a letter to the district superintendent/BOCES requesting information regarding the specific request and ask for that information within 20 business days or as mutually agreed upon by CDE and the district.
4. Based on the review of that information, CDE will prepare a response that may resolve the issue or that may indicate that further investigation of the request is needed. CDE will submit this response to the requestor and superintendent/BOCES within 30 business days of the determination of a valid request or as appropriate given the nature and complexity of the concern.
5. If further investigation is needed, CDE will work with the district to gather additional information. This may include site visits, interviews with various parties and requests for information and processes from the district.
6. This deeper investigation will culminate with a letter to the superintendent and school board president or BOCES Executive Director stating the findings, the evidence for those findings, and the timelines for addressing the findings. The requestor will receive a copy of this letter.
7. Upon receiving the notification of findings, the district/BOCES will have 90 days to take action on the specific areas noted (unless another timeline is mutually agreed upon by CDE and the district). CDE staff will be available to assist districts/BOCES in addressing the findings and improving their evaluation systems to ensure adherence with the law.
8. If, through the investigation process, it is determined that 90 days would not be sufficient to address the findings, CDE has the discretion to establish key deadlines for specific deliverables with the district/BOCES so that progress can be monitored over time and to work with the district on a timeline for addressing all findings.
9. After the 90 day period (or time period agreed upon in number 8 above), CDE will review the actions taken and send a final letter to the superintendent, school board president, and requestor identifying the steps taken and whether they were sufficient to address the findings and bring the district into adherence with the law.

10. If the district/BOCES did not address the concerns adequately, CDE will state in the letter that they are not in compliance with the law and that further action must be taken. That action will be clearly explained in the letter and may include (but is not limited to) further necessary actions with more time to address, adoption of parts of or the full state model educator evaluation system, nullification of educators' evaluation ratings, and/or adjustment in the district's accreditation rating.

## **REVIEW PROCESS**

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The written responses to the requests for review and the data collected will be led by the CDE Director of Educator Effectiveness Systems Support and Review. Based on the nature of the requested review, the director may engage relevant experts within and external to CDE to support the review process. After conducting the review, the director will prepare a report noting any findings for review and action by the Commissioner of Education. The Commissioner will make the final decision on the findings and sign the notification letter to the superintendent, school board president, and requestor.

## **INFORMATION & RESOURCES**

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For more information about the law and the evaluation system requirements, go to:

<http://www.cde.state.co.us/EducatorEffectiveness/index.asp>

## **REQUIRED FORMAT AND ELEMENTS FOR SUBMITTING**

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**Request for Review forms must be submitted in hard copy and by email.**

Submit the form in hard copy to:

CDE Educator Effectiveness Office  
6000 East Evans Ave., Bldg. 2, Suite 100  
Denver CO, 80222

Submit the form in soft copy by email to: [Educator\\_Effectiveness@cde.state.co.us](mailto:Educator_Effectiveness@cde.state.co.us)

## Request for Review of an Evaluation System

Request for Review Form	
<b>Name of Requestor:</b>	
<b>Who do you represent?</b>	<input type="checkbox"/> Superintendent (or District Leadership) <input type="checkbox"/> School Board <input type="checkbox"/> BOCES <input type="checkbox"/> Interested Party (explain your connection to the district in the space below)
	<u>Explanation of connection to the district:</u> <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>
<b>Primary Contact Person for this request:</b>	
Mailing Address:	
Phone:	E-mail:
<b>Filing a request to review which Evaluation System:</b>	
District Name _____	
Are you filing a request to review: A locally-developed evaluation system <input type="checkbox"/> (pursuant to section 22-9-106 (1.5), C.R.S.)and pursuant to section OR 6.04(D) of CCR 301-87) A district that is using the State Model System <input type="checkbox"/> ( pursuant to section 6.04(D) of CCR 301-87)	
Is this request regarding a complaint or concern about a district’s system <input type="checkbox"/> OR Is this request from the district/BOCES to ensure the system is meeting state law and expectations? <input type="checkbox"/>	
<b>If you are a district/BOCES requesting a review of your locally-developed system, you do not need to complete the remainder of this form. CDE staff will be in touch with you to request needed documentation and set up any meetings with the district/ BOCES that may be needed to ensure a thorough review.</b>	

***For interested parties submitting a request for review, provide a brief summary of the areas of the districts/BOCES's evaluation system that you are requesting the department review?***

***For interested parties requesting a review, what have you already done to address the areas of concern with your district/BOCES? Whom have you contacted and what district/BOCES procedures have you followed to attempt to address the concern? What was the response?***



***For interested parties requesting a review, please note the specific areas that you are requesting for review. For any area that you identify, please provide or attach evidence that substantiates your concern.***

## Certification Form

(Complete and attach after Cover Page)

*I, THE UNDERSIGNED, assure that what I have stated in this request for review is factual and true to the best of my knowledge. I can be contacted for follow-up and acknowledge that my name will be released to the district as part of the request for review process.*

Signature of Requestor:

Date signed:

Printed Name:

# Initial Review Response

**Complaint (Date Received, complaint and requestor)**

**Initial Information Reviewed**

**Initial Conclusion of CDE and Next steps for District and CDE (if necessary)**

**Recommendation:**

Further review not needed

Further review necessary

