

DEPARTMENT OF EDUCATION

Colorado State Board of Education

RULES FOR ADMINISTRATION OF A STATEWIDE SYSTEM TO EVALUATE THE EFFECTIVENESS OF LICENSED PERSONNEL EMPLOYED BY SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE SERVICES

1 CCR 301-87

0.0 STATEMENT OF BASIS AND PURPOSE

These rules are promulgated pursuant to Colorado Revised Statutes section 22-2-107 (1) (c), section 22-9-104 (2) and section 22-9-105.5 (10). Senate Bill 10-191, codified at section 22-9-101, C.R.S., *et seq.* creates a system to evaluate the effectiveness of licensed personnel in school districts and boards of cooperative services throughout the state as a means of improving the quality of education in Colorado.

The basic purposes of the statewide system to evaluate the effectiveness of licensed personnel are:

To ensure that all licensed personnel are evaluated using multiple, fair, transparent, timely, rigorous, and valid methods, fifty percent of which evaluation is determined by the academic growth of their students;

To ensure that all licensed personnel receive adequate feedback and professional development support to provide them a meaningful opportunity to improve their effectiveness; and

To ensure that all licensed personnel are provided the means to share effective practices with other Educators throughout the state.

The statutory basis for the addition of section 4.00 of these rules is found in Colorado Revised Statutes section 22-2-107 (1) (c), section 22-9-104 (2) and section 22-9-105.5 (10), which requires the State Board of Education to promulgate rules concerning performance standards for *each* category of licensed personnel evaluated under the Licensed Personnel Evaluations Act and criteria to be applied in the evaluations. In addition to teachers and principals, the categories of licensed personnel evaluated under the Licensed Personnel Evaluations Act include audiologists, occupational therapists, physical therapists, school counselors, school nurses, school orientation and mobility specialists, school psychologists, school social workers and speech and language pathologists. While these rules outline standards and criteria for the evaluation of these categories of licensed personnel, these rules do not interfere with a local school board's or board of cooperative service's discretion to determine how these ratings will be used for purposes of employment contracts, employee retention, and/or the assignment of probationary or nonprobationary status, if applicable.

1.0 DEFINITIONS

- 1.01 "Administrator" means any person who administers, directs, or supervises the education instructional program, or a portion thereof, in any school or School District in the state and who is not the chief executive officer or an assistant chief executive officer of such school or a person who is otherwise defined as an Administrator by his or her employing School District or BOCES.
- 1.02 "BOCES" or "Board of Cooperative Services" shall have the same meaning as provided in section 22-5-103 (2), C.R.S.
- 1.03 "Colorado Academic Standards" mean the standards adopted by the State Board pursuant to section 22-7-1005, C.R.S., that identify the knowledge and skills that a student should acquire as the student progresses from preschool through elementary and secondary education, and include English language proficiency standards. Section 22-7-1013, C.R.S., requires each local

education provider to ensure that its preschool through elementary and secondary education standards meet or exceed the Colorado Academic Standards. When referenced in these rules, the Colorado Academic Standards may be substituted with these locally adopted standards.

- 1.04 "Department" means the Colorado Department of Education created pursuant to section 24-1-115, C.R.S.
- 1.05 "Educator" means a Principal, Administrator, or Teacher.
- 1.06 "Element" means the detailed description of knowledge and skills that contribute to effective teaching and leading, and which corresponds to a particular Principal Quality Standard or Teacher Quality Standard.
- 1.07 "Equity Pedagogy" refers to a commitment to a diverse population of students, demonstrated by the creation of an inclusive and positive school culture and strategies that meet the needs of diverse student talents, experiences and challenges. Equity pedagogy values students' individual backgrounds as a resource and utilizes approaches to instruction and behavioral supports that build on student strengths.
- 1.08 "Licensed Personnel" mean any persons employed to instruct students or to administer, direct, or supervise the instructional program in a school in the state that hold a valid license or authorization pursuant to the provision of article 60.5 of title 22, Colorado Revised Statutes.
- 1.09 "Measures of Student Academic Growth" mean the methods used by School Districts and BOCES for measuring Student Academic Growth in order to evaluate Licensed Personnel.
- 1.10 "Performance Evaluation Rating" means the summative evaluation rating assigned by a School District or BOCES to licensed personnel and reported to the Department on an annual basis. It is the equivalent of a "performance standard," as defined in section 22-9-103 (2.5), C.R.S.
- 1.11 "Pilot Period" means the time during which the Department will collaborate with School Districts and BOCES to develop, define, and improve the State Model System. The Pilot Period will end on July 2013 or when the State Model System based on the Principal and Teacher Quality Standards has been completed, and the commissioner has provided notice of such implementation to the revisor of statutes, whichever is later.
- 1.12 "Principal" means a person who is employed as the chief executive officer or an assistant chief executive officer of a school in the state and who administers, directs, or supervises the education program in the school.
- 1.13 "Principal Professional Performance Plan" means the plan required by section 22-9-105.5 (3), C.R.S., and is a written agreement developed by a Principal and School District administration or local school board that outlines the steps to be taken to improve the Principal's effectiveness. The Principal Professional Performance Plan shall include professional development opportunities.
- 1.14 "Principal Quality Standard" means the Professional Practice or focus on Student Academic Growth needed to achieve effectiveness as a Principal.
- 1.15 "Principal Evaluation System Framework" means the complete evaluation system that all School Districts and BOCES shall use to evaluate Principals employed by them. The complete Principal Evaluation System Framework includes the following component parts: (i) definition of Principal Effectiveness set forth in section 2.01 of these rules, (ii) the Principal Quality Standards described in section 2.02 of these rules, (iii) required elements of a written evaluation system described in section 5.01 of these rules, and (iv) the weighting and aggregation of evidence of performance that are used to assign a Principal to one of four Performance Evaluation Ratings as described in section 2.03 of these rules.

- 1.16 “Professional Practice” means the behaviors, skills, knowledge and dispositions that Educators should exhibit. Teacher Quality Standards I-V and Principal Quality Standards I-VI address the Professional Practice standards for Educators in Colorado.
- 1.17 “School District” or “District” means a School District organized and authorized by section 15 of Article IX of the state constitution and organized pursuant to article 30 of title 22, Colorado Revised Statutes.
- 1.18 “Specialized Service Professionals” or “SSPs” means licensed personnel who provide support to teachers and students in areas that involve student physical, emotional, and social health and well-being. They include audiologists, occupational therapists, physical therapists, school counselors, school nurses, school orientation and mobility specialists, school psychologists, school social workers and speech and language pathologists.
- 1.19 “Specialized Service Professionals Quality Standards” means the Professional Practice needed to achieve effectiveness as a specialized service professional.
- 1.20 “State Board” means the State Board of Education established pursuant to Section 1 of Article IX of the state constitution.
- 1.21 “State Council” means the state council for Educator effectiveness established pursuant to article 9 of title 22.
- 1.22 “State Model System” means the personnel evaluation system and supporting resources developed by the Department, which meets all of the requirements for local personnel evaluation systems that are outlined in statute and rule.
- 1.23 “Statewide Summative Assessments” mean the assessments administered pursuant to the Colorado student assessment program created in section 22-7-409, C.R.S., or as part of the system of assessments adopted by the State Board pursuant to section 22-7-1006, C.R.S.
- 1.24 “Student Academic Growth” means the change in student achievement against Colorado Academic Standards for an individual student between two or more points in time, which shall be determined using multiple measures, one of which shall be the results of Statewide Summative Assessments, and which may include other standards-based measures that are rigorous and comparable across classrooms of similar content areas and levels. Student Academic Growth also may include gains in progress towards postsecondary and workforce readiness, which, for Principals, may include performance outcomes for successive student cohorts. Student Academic Growth may include progress toward academic and functional goals included in an individualized education program and/or progress made towards Student Academic Growth Objectives.
- 1.25 “Student Academic Growth Objectives” mean a participatory method of setting measurable goals, or objectives for a specific assignment or class, in a manner aligned with the subject matter taught, and in a manner that allows for the evaluation of the baseline performance of students and the measureable gain in student performance during the course of instruction.
- 1.26 “Teacher” means a person who holds an alternative, initial, or professional Teacher license issued pursuant to the provisions of article 60.5 of title 22 and who is employed by a School District, BOCES or a charter school in the state to instruct, direct, or supervise an education program.
- 1.27 “Teacher Evaluation System Framework” means the complete evaluation system that all School Districts and BOCES shall use to evaluate Teachers employed by them. A diagram of the complete Teacher Evaluation System Framework includes the following component parts: (i)

definition of Teacher Effectiveness set forth in section 3.01 of these rules, (ii) the Teacher Quality Standards described in section 3.02 of these rules, (iii) required elements of a written evaluation system described in section 5.01 of these rules, (iv) the weighting and aggregation of evidence of performance to assign a Teacher to one of four Performance Evaluation Ratings as described in section 3.03 of these rules, and (iv) the opportunity to appeal an ineffective rating as contemplated in section 22-9-105.5(3)(e)(VII), C.R.S.

- 1.28 “Teacher Quality Standard” means the Professional Practices or focus on Student Academic Growth needed to achieve effectiveness as a Teacher.
- 1.29 “Unified Improvement Plan” means the school plan required pursuant to section 22-11-210, C.R.S.

2.00 PRINCIPALS: DEFINITION OF EFFECTIVENESS, QUALITY STANDARDS AND PERFORMANCE EVALUATION RATINGS

2.01 Definition of Principal Effectiveness. Effective Principals in the state of Colorado are responsible for the collective success of their schools, including the learning, growth and achievement of both students and staff. As schools’ primary instructional leaders, effective Principals enable critical discourse and data-driven reflection about curriculum, assessment, instruction, and student progress, and create structures to facilitate improvement. Effective Principals are adept at creating systems that maximize the utilization of resources and human capital, foster collaboration, and facilitate constructive change. By creating a common vision and articulating shared values, effective Principals lead and manage their schools in a manner that supports schools’ ability to promote equity and to continually improve their positive impact on students and families.

2.02 Principal Quality Standards.

The Principal Quality Standards outline the knowledge and skills required of an effective Principal and will be used to evaluate Principals in the state of Colorado. All School Districts and BOCES shall base their evaluations of their Principals on either the full set of Principal Quality Standards and associated Elements included below, or shall adopt their own locally developed standards that meet or exceed the Principal Quality Standards and Elements. A School District or BOCES that adopts its own locally developed standards shall crosswalk those standards to the Principal Quality Standards and Elements, so that the School District or BOCES is able to report the data required by section 6.04 of these rules.

2.02 (A) **Quality Standard I:** Principals demonstrate strategic leadership.

- 2.02 (A) (1) **Element a:** School Vision, Mission and Strategic Goals: Principals collaboratively develop the vision, mission, values, expectations and goals of the school, collaboratively determine the processes used to establish these foundations, and facilitate their integration into the life of the school community.
- 2.02 (A) (2) **Element b:** School Plan: Principals ensure that a plan is in place that supports improved academic achievement and developmental outcomes for all students, and provides for data-based progress monitoring.
- 2.02 (A) (3) **Element c:** Leading Change: Principals solicit input and collaborate with staff and their school community to implement strategies for change and improvements that result in improved achievement and developmental outcomes for all students.

2.02 (A) (4) **Element d:** Distributive Leadership: Principals create and utilize processes to distribute leadership and support collaborative efforts throughout the school among Teachers and Administrators.

2.02 (B) **Quality Standard II:** Principals demonstrate instructional leadership.

2.02 (B) (1) **Element a:** Curriculum, Instruction, Learning and Assessment: Principals promote school-wide efforts to establish, implement and refine appropriate expectations for curriculum, instructional practices, assessment and use of data on student learning based on scientific research and evidence-based practices that result in student academic achievement.

2.02 (B) (2) **Element b:** Instructional Time: Principals create processes and schedules which maximize instructional, collaborative and preparation time.

2.02 (B) (3) **Element c:** Implementing High-quality Instruction: Principals support Teachers through ongoing, actionable feedback and needs-based professional development to ensure that rigorous, relevant and evidence-based instruction and authentic learning experiences meet the needs of all students and are aligned across P-20.

2.02 (B) (4) **Element d:** High Expectations for all Students: Principals hold all staff accountable for setting and achieving rigorous performance goals for all students, and empower staff to achieve these goals across content areas.

2.02 (B) (5) **Element e:** Instructional Practices: Principals demonstrate a rich knowledge of effective instructional practices, as identified by research on best practices, in order to support and guide Teachers in data-based decision making regarding effective practices to maximize student success.

2.02 (C) **Quality Standard III:** Principals demonstrate school culture and equity leadership.

2.02 (C) (1) **Element a:** Intentional and Collaborative School Culture: Principals articulate, model and positively reinforce a clear vision and values of the school's culture, and involve students, families and staff in creating an inclusive and welcoming climate that supports it.

2.02 (C) (2) **Element b:** Commitment to the Whole Child: Principals promote the cognitive, physical, social and emotional health, growth and skill development of every student.

2.02 (C) (3) **Element c:** Equity Pedagogy: Principals demonstrate a commitment to a diverse population of students by creating an inclusive and positive school culture, and provide instruction in meeting the needs of diverse students, talents, experiences and challenges in support of student achievement.

2.02 (C) (4) **Element d:** Efficacy, Empowerment and a Culture of Continuous Improvement: Principals and their leadership team foster a school culture that encourages continual improvement through reliance on research, innovation, prudent risk-taking, high expectations for all students and Teachers, and a valid assessment of outcomes.

2.02 (D) **Quality Standard IV:** Principals demonstrate human resource leadership.

- 2.02 (D) (1) **Element a:** Professional Development/Learning Communities: Principals ensure that the school is a professional learning community that provides opportunities for collaboration, fosters Teacher learning and develops Teacher leaders in a manner that is consistent with local structures, contracts, policies and strategic plans.
- 2.02 (D) (2) **Element b:** Recruiting, Hiring, Placing, Mentoring, and Dismissal of Staff: Principals establish and effectively manage processes and systems that ensure a knowledgeable, high-quality, high-performing staff.
- 2.02 (D) (3) **Element c:** Teacher and Staff Evaluation: Principals evaluate staff performance using the District's Educator evaluation system in order to ensure that Teachers and staff are evaluated in a fair and equitable manner with a focus on improving Teacher and staff performance and, thus, student achievement.

2.02 (E) **Quality Standard V:** Principals demonstrate managerial leadership.

- 2.02 (E) (1) **Element a:** School Resources and Budget: Principals establish systems for marshaling all available school resources to facilitate the work that needs to be done to improve student learning, academic achievement and overall healthy development for all students.
- 2.02 (E) (2) **Element b:** Conflict Management and Resolution: Principals proactively and efficiently manage the complexity of human interactions and relationships, including those among and between parents/guardians, students and staff.
- 2.02 (E) (3) **Element c:** Systematic Communication: Principals facilitate the design and utilization of various forms of formal and informal communication with all school stakeholders.
- 2.02 (E) (4) **Element d:** School-wide Expectations for Students and Staff: Principals ensure that clear expectations, structures, rules and procedures are established for students and staff.
- 2.02 (E) (5) **Element e:** Supporting Policies and Agreements: Principals regularly update their knowledge of federal and state laws, and School District and board policies, including negotiated agreements, if applicable, and establish processes to ensure that these policies, laws and agreements are consistently met and implemented.
- 2.02 (E) (6) **Element f:** Ensuring an Orderly and Supportive Environment: Principals ensure that the school provides an orderly and supportive environment that fosters a climate of safety, respect, and well-being.

2.02 (F) **Quality Standard VI:** Principals demonstrate external development leadership.

- 2.02 (F) (1) **Element a:** Family and Community Involvement and Outreach: Principals design and/or utilize structures and processes which result in family and community engagement, support and ownership for the school.

2.02 (F) (2) **Element b:** Professional Leadership Responsibilities: Principals strive to improve the profession by collaborating with their colleagues, School District leadership and other stakeholders to drive the development and successful implementation of initiatives that better serve students, Teachers and schools at all levels of the education system. They ensure that these initiatives are consistent with federal and state laws, School District and board policies, and negotiated agreements where applicable.

2.02 (F) (3) **Element c:** Advocacy for the School: Principals develop systems and relationships to leverage the School District and community resources available to them both within and outside of the school in order to maximize the school's ability to serve the best interest of students and families.

2.02 (G) **Quality Standard VII:** Principals demonstrate leadership around Student Academic Growth.

2.02 (G) (1) **Element a:** Student Academic Achievement and Growth: Principals take responsibility for ensuring that all students are progressing toward postsecondary and workforce readiness standards to be mastered by high school graduation. Principals prepare students for success by ensuring mastery of all Colorado Academic Standards, including 21st century skills.

2.02 (G) (2) **Element b:** Student Academic Growth and Development: Principals take responsibility for facilitating the preparation of students with the skills, dispositions and attitudes necessary for success in work and postsecondary education, including democratic and civic participation.

2.02 (G) (3) **Element c:** Use of Data: Principals use evidence and data to evaluate the performance and practices of their schools, in order to continually improve attainment of Student Academic Growth. They take responsibility and devise an intentional plan for ensuring that staff is knowledgeable in how to utilize evidence and data to inform instructional decision making to maximize the educational opportunities and instructional program for every child.

2.03 Performance Evaluation Ratings for Principals. The following four Performance Evaluation Ratings for Principals shall be used statewide: ineffective, partially effective, effective, and highly effective.

2.03 (A) During the Pilot Period described in section 6.03 of these rules, the Department shall develop a personnel evaluation scoring matrix to aggregate evidence collected systematically on multiple measures of a Principal's performance on Principal Quality Standards I-VI (Professional Practice) into a single score and to aggregate evidence collected systematically on multiple measures of a Principal's performance on Principal Quality Standard VII (Student Academic Growth) into a single score. This scoring matrix shall be based on recommendations from the State Council and information gathered from the pilot of the State Model System and the implementation of other local systems during the Pilot Period. School Districts and BOCES may use this scoring matrix as an example or may adopt their own scoring matrix, provided they ensure that each of the Principal Quality Standards I-VI has a measurable influence on the final Professional Practice score assigned to Principals.

2.03 (B) During the Pilot Period, the Department, based on recommendations from the State Council, also shall develop a decision-making structure for assigning Principals to one of

four Principal Performance Evaluation Ratings once a year. School Districts and BOCES may use this decision-making structure as an example or may adopt their own structure, provided they ensure that each Performance Evaluation Rating is based fifty percent on Principal Quality Standard VII (Student Academic Growth) and that each of the Principal Quality Standards I-VI (Professional Practice) has a measurable influence on the final Performance Evaluation Rating.

2.03 (C) The Department shall develop model rubrics and tools for School Districts and BOCES to use in measuring each individual Principal's performance against the Principal Quality Standards. The Department also shall provide technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period that School Districts and BOCES may use in developing their own rubrics and tools if they choose to develop their own distinctive personnel evaluation system.

2.03 (D) During the Pilot Period, as the Department develops the State Model System's personnel evaluation framework and decision-making structure for assigning Performance Evaluation Ratings, the State Board will adopt statewide definitions for the Principal Performance Evaluation Ratings of highly effective, effective, partially effective and ineffective.

3.0 TEACHERS: DEFINITION OF EFFECTIVENESS, QUALITY STANDARDS, AND PERFORMANCE EVALUATION RATINGS

3.01 Definition of Teacher Effectiveness. Effective Teachers in the state of Colorado have the knowledge, skills, and commitments needed to provide excellent and equitable learning opportunities and growth for all students. They strive to support growth and development, close achievement gaps and to prepare diverse student populations for postsecondary and workforce success. Effective Teachers facilitate mastery of content and skill development, and employ and adjust evidence-based strategies and approaches for students who are not achieving mastery and students who need acceleration. They also develop in students the skills, interests and abilities necessary to be lifelong learners, as well as for democratic and civic participation. Effective Teachers communicate high expectations to students and their families and utilize diverse strategies to engage them in a mutually supportive teaching and learning environment. Because effective Teachers understand that the work of ensuring meaningful learning opportunities for all students cannot happen in isolation, they engage in collaboration, continuous reflection, on-going learning and leadership within the profession.

3.02 Teacher Quality Standards. The Teacher Quality Standards outline the knowledge and skills required of an effective Teacher and will be used to evaluate Teachers in the state of Colorado. All School Districts and BOCES shall base their evaluations of licensed classroom Teachers on the full set of Teacher Quality Standards and associated detailed Elements included below, or shall adopt their own locally developed standards that meet or exceed the Teacher Quality Standards and Elements. School Districts and BOCES that adopt their own locally developed standards shall crosswalk those standards to the Teacher Quality Standards and Elements, so that the School District or BOCES is able to report the data required by section 6.04 of these rules.

3.02 (A) **Quality Standard I:** Teachers demonstrate mastery of and pedagogical expertise in the content they teach. The elementary Teacher is an expert in literacy and mathematics and is knowledgeable in all other content that he or she teaches (e.g., science, social studies, arts, physical education, or world languages). The secondary Teacher has knowledge of literacy and mathematics and is an expert in his or her content endorsement area(s).

3.02 (A) (1) **Element a:** Teachers provide instruction that is aligned with the Colorado Academic Standards; their District's organized plan of instruction; and the individual needs of their students.

- 3.02 (A) (2) **Element b:** Teachers demonstrate knowledge of student literacy development in reading, writing, speaking and listening.
- 3.02 (A) (3) **Element c:** Teachers demonstrate knowledge of mathematics and understand how to promote student development in numbers and operations, algebra, geometry and measurement, and data analysis and probability.
- 3.02 (A) (4) **Element d:** Teachers demonstrate knowledge of the content, central concepts, tools of inquiry, appropriate evidence-based instructional practices and specialized character of the disciplines being taught.
- 3.02 (A) (5) **Element e:** Teachers develop lessons that reflect the interconnectedness of content areas/disciplines.
- 3.02 (A) (6) **Element f:** Teachers make instruction and content relevant to students and take actions to connect students' background and contextual knowledge with new information being taught.
- 3.02 (B) **Quality Standard II:** Teachers establish a safe, inclusive and respectful learning environment for a diverse population of students.
- 3.02 (B) (1) **Element a:** Teachers foster a predictable learning environment in the classroom in which each student has a positive, nurturing relationship with caring adults and peers.
- 3.02 (B) (2) **Element b:** Teachers demonstrate a commitment to and respect for diversity, while working toward common goals as a community and as a country.
- 3.02 (B) (3) **Element c:** Teachers engage students as individuals with unique interests and strengths.
- 3.02 (B) (4) **Element d:** Teachers adapt their teaching for the benefit of all students, including those with special needs across a range of ability levels.
- 3.02 (B) (5) **Element e:** Teachers provide proactive, clear and constructive feedback to families about student progress and work collaboratively with the families and significant adults in the lives of their students.
- 3.02 (B) (6) **Element f:** Teachers create a learning environment characterized by acceptable student behavior, efficient use of time, and appropriate intervention strategies.
- 3.02 (C) **Quality Standard III:** Teachers plan and deliver effective instruction and create an environment that facilitates learning for their students.
- 3.02 (C) (1) **Element a:** Teachers demonstrate knowledge of current developmental science, the ways in which learning takes place, and the appropriate levels of intellectual, social, and emotional development of their students.
- 3.02 (C) (2) **Element b:** Teachers plan and consistently deliver instruction that draws on results of student assessments, is aligned to academic standards, and advances students' level of content knowledge and skills.

- 3.02 (C) (3) **Element c:** Teachers demonstrate a rich knowledge of current research on effective instructional practices to meet the developmental and academic needs of their students.
 - 3.02 (C) (4) **Element d:** Teachers thoughtfully integrate and utilize appropriate available technology in their instruction to maximize student learning.
 - 3.02 (C) (5) **Element e:** Teachers establish and communicate high expectations for all students and plan instruction that helps students develop critical-thinking and problem solving skills.
 - 3.02 (C) (6) **Element f:** Teachers provide students with opportunities to work in teams and develop leadership qualities.
 - 3.02 (C) (7) **Element g:** Teachers communicate effectively, making learning objectives clear and providing appropriate models of language.
 - 3.02 (C) (8) **Element h:** Teachers use appropriate methods to assess what each student has learned, including formal and informal assessments, and use results to plan further instruction.
- 3.02 (D) **Quality Standard IV:** Teachers reflect on their practice.
- 3.02 (D) (1) **Element a:** Teachers demonstrate that they analyze student learning, development, and growth and apply what they learn to improve their practice.
 - 3.02 (D) (2) **Element b:** Teachers link professional growth to their professional goals.
 - 3.02 (D) (3) **Element c:** Teachers are able to respond to a complex, dynamic environment.
- 3.02 (E) **Quality Standard V:** Teachers demonstrate leadership.
- 3.02 (E) (1) **Element a:** Teachers demonstrate leadership in their schools.
 - 3.02 (E) (2) **Element b:** Teachers contribute knowledge and skills to educational practices and the teaching profession.
 - 3.02 (E) (3) **Element c:** Teachers advocate for schools and students, partnering with students, families and communities as appropriate.
 - 3.02 (E) (4) **Element d:** Teachers demonstrate high ethical standards.
- 3.02 (F) **Quality Standard VI:** Teachers take responsibility for Student Academic Growth.
- 3.02 (F) (1) **Element a:** Teachers demonstrate high levels of student learning, growth and academic achievement.
 - 3.02 (F) (2) **Element b:** Teachers demonstrate high levels of Student Academic Growth in the skills necessary for postsecondary and workforce readiness, including democratic and civic participation. Teachers demonstrate their ability to utilize multiple data sources and evidence to evaluate their practice, and make adjustments where needed to continually improve attainment of Student Academic Growth.

3.03 Performance Evaluation Ratings for Teachers. The following four Performance Evaluation Ratings for Teachers shall be used statewide: ineffective, partially effective, effective, and highly effective.

3.03 (A) During the Pilot Period described in section 6.03 of these rules, the Department shall develop a personnel evaluation scoring matrix to aggregate evidence collected systematically on multiple measures of a Teacher's performance on Teacher Quality Standards I-V (Professional Practice) into a single score and to aggregate evidence collected systematically on multiple measures of a Teacher's performance on Teacher Quality Standard VI (Student Academic Growth) into a single score. This scoring matrix shall be informed by the illustrated matrix included in the State Council's report. School Districts and BOCES may use this scoring matrix as an example or may adopt their own scoring matrix, provided they ensure that each of the Teacher Quality Standards I-V has a measurable influence on the final Professional Practice score assigned to Teachers.

3.03 (B) During the Pilot Period, the Department, based on recommendations from the State Council, also shall develop a decision-making structure for assigning Teachers to one of the four Teacher Performance Evaluation Ratings once a year. School Districts and BOCES may use this decision-making structure as an example or may adopt their own structure, provided they ensure that each Performance Evaluation Rating is based fifty percent on the Teacher Quality Standard VI (Student Academic Growth) and that each of the Teacher Quality Standards I-V (Professional Practice) has a measurable influence on the final Performance Evaluation Rating.

3.03 (C) The Department will develop model rubrics and tools that School Districts and BOCES may use in measuring each individual Teacher's performance against the Teacher Quality Standards. The Department also shall provide technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period that School Districts and BOCES may use in developing their own rubrics and tools if they choose to develop their own distinctive personnel evaluation system.

3.03 (D) During the Pilot Period, as the Department develops the State Model System's personnel evaluation framework and decision-making structure for assigning Performance Evaluation Ratings, the State Board will adopt statewide definitions for the Teacher Performance Evaluation Ratings of highly effective, effective, partially effective and ineffective. School Districts and BOCES shall assign one of the Teacher Performance Evaluation Ratings to each Teacher in a written evaluation report. As required by section 22-9-106 (3), C.R.S., all evaluation reports must contain a written improvement plan, that shall be specific as to what improvements, if any, are needed in the performance of the Teacher and shall clearly set forth recommendations for improvements, including recommendations for additional education and training during the Teacher's license renewal process. As required by section 22-9-105.5 (3) (a), C.R.S., each Teacher shall be provided with an opportunity to improve his or her effectiveness through a Teacher development plan that links his or her evaluation and performance standards to professional development opportunities.

The following status implications shall apply for each Teacher Performance Evaluation Rating. These status implications shall not apply to at-will employees.

3.03 (D) (1) **Ineffective.**

3.03 (D) (1) (a) Beginning with evaluations conducted during the 2014-15 school year, as required by section 22-9-106 (3.5) (b) (I), C.R.S., a Teacher whose performance is deemed ineffective shall receive written notice that his or her

Performance Evaluation Rating shows a rating of ineffective, a copy of the documentation relied upon in measuring his or her performance, and identification of deficiencies.

3.03 (D) (1) (b) *Implications for earning or losing nonprobationary status:* Beginning with evaluations conducted during the 2013-14 school year, for probationary Teachers, a rating of ineffective shall not count towards the accrual of years towards nonprobationary status. Beginning with evaluations conducted during the 2014-15 school year, a nonprobationary Teacher who is rated as ineffective for two consecutive years shall lose nonprobationary status.

3.03 (D) (2) **Partially Effective.**

3.03 (D) (2) (a) *Implications for earning or losing nonprobationary status:* (i) Beginning with evaluations conducted during the 2013-14 school year, for a probationary Teacher, a rating of partially effective shall not count towards the accrual of three years of effectiveness needed to reach nonprobationary status.

(ii) Beginning with evaluations conducted during the 2014-15 school year, for a nonprobationary Teacher, a rating of partially effective shall be considered the first of two consecutive years of ineffective performance that results in loss of nonprobationary status. Nonprobationary status in this instance shall only be lost if the Teacher is subsequently rated partially effective or ineffective during the following year.

3.03 (D) (3) **Effective.**

3.03 (D) (3) (a) *Implications for earning or losing nonprobationary status:* Beginning with evaluations conducted during the 2013-14 school year, a probationary Teacher shall receive a rating of effective for three consecutive years to earn nonprobationary status. Beginning with evaluations conducted during the 2014-15 school year, a nonprobationary Teacher must maintain an effective rating to retain nonprobationary status. Two consecutive ratings below effective shall result in the loss of nonprobationary status.

3.03 (D) (4) **Highly Effective.**

3.03 (D) (4) (a) *Implications for earning or losing nonprobationary status:* For the purposes of gaining or losing nonprobationary status, a rating of highly effective shall have the same implications as a rating of effective.

4.00 MEASURING PERFORMANCE OF SPECIALIZED SERVICE PROFESSIONALS

4.01 Definition of Specialized Service Professional Effectiveness. Effective SSPs in the state of Colorado are vital members of the education team and have the knowledge and skills necessary

to ensure that diverse student populations have equitable access to academic instruction and participation in school-related activities. Effective SSPs develop and/or implement evidence-based services or specially designed instruction to meet the unique needs of their students. They support growth and development to close achievement gaps and prepare students for postsecondary and workforce success. They have a deep understanding of the interconnectedness of the home, school and community and collaborate with all members of the education team to strengthen those connections. Through reflection, advocacy, and leadership, they enhance the outcomes and development of their students.

4.02 Specialized Service Professionals Quality Standards. The SSP Quality Standards outline the knowledge and skills required for effective specialized service professional practice and will be used to evaluate SSPs in the state of Colorado. All School Districts and BOCES shall base their evaluations of SSPs on the full set of SSP Quality Standards and associated detailed descriptions of knowledge and skills (also known as “Elements”). School Districts and BOCES shall either adopt the state Quality Standards and Elements or shall adopt a locally-developed set of quality standards and elements that meet or exceed the state standards and elements, as determined by CDE. While there is a single set of SSP Quality Standards which apply to all licensure categories of SSPs, School Districts and BOCES shall ensure that the tools used to evaluate these professionals adequately differentiate the professional practices for each category of SSP.

- 4.02 (A) **Quality Standard I:** Specialized service professionals demonstrate mastery of and expertise in the domain for which they are responsible.
 - 4.02 (A) (1) **Element a:** Specialized service professionals demonstrate knowledge of current developmental science, the ways in which learning takes place, and the appropriate levels of intellectual, social, and emotional development of their students.
 - 4.02 (A) (2) **Element b:** Specialized service professionals demonstrate knowledge of effective services and/or specially designed instruction that reduce barriers to and support learning in literacy, math, and other content areas.
 - 4.02 (A) (3) **Element c:** Specialized service professionals integrate evidence-based practices and research findings into their services and/or specially designed instruction.
 - 4.02 (A) (4) **Element d:** Specialized service professionals demonstrate knowledge of the interconnectedness of home, school, and community influences on student achievement.
 - 4.02 (A) (5) **Element e:** Specialized service professionals demonstrate knowledge of and expertise in their professions.
- 4.02 (B) **Quality Standard II:** Specialized service professionals support and/or establish safe, inclusive, and respectful learning environments for a diverse population of students.
 - 4.02 (B) (1) **Element a:** Specialized service professionals foster safe and accessible learning environments in which each student has a positive, nurturing relationship with caring adults and peers.
 - 4.02 (B) (2) **Element b:** Specialized service professionals demonstrate respect for diversity within the home, school, and local and global communities.

- 4.02 (B) (3) **Element c:** Specialized service professionals engage students as unique individuals with diverse backgrounds, interests, strengths, and needs.
- 4.02 (B) (4) **Element d:** Specialized service professionals engage in proactive, clear, and constructive communication and work collaboratively with students, families, and other significant adults and/or professionals.
- 4.02 (B) (5) **Element e:** Specialized service professionals select, create and/or support accessible learning environments characterized by acceptable student behavior, efficient use of time, and appropriate behavioral strategies.
- 4.02 (C) **Quality Standard III:** Specialized service professionals plan, deliver, and/or monitor services and/or specially designed instruction and/or create environments that facilitate learning for their students.
- 4.02 (C) (1) **Element a:** Specialized service professionals provide services and/or specially designed instruction aligned with state and federal laws, regulations and procedures, academic standards, their districts' organized plans of instruction and the individual needs of their students.
- 4.02 (C) (2) **Element b:** Specialized service professionals utilize multiple sources of data, which include valid informal and/or formal assessments, to inform services and/or specially designed instruction.
- 4.02 (C) (3) **Element c:** Specialized service professionals plan and consistently deliver services and/or specially designed instruction that integrate multiple sources of data to inform practices related to student needs, learning, and progress toward achieving academic standards and individualized student goals.
- 4.02 (C) (4) **Element d:** Specialized service professionals support and integrate appropriate available technology in their services and/or specially designed instruction to maximize student outcomes.
- 4.02 (C) (5) **Element e:** Specialized service professionals establish and communicate high expectations for their students that support the development of critical-thinking, self-advocacy, leadership and problem solving skills.
- 4.02 (C) (6) **Element f:** Specialized service professionals communicate effectively with students.
- 4.02 (C) (7) **Element g:** Specialized service professionals develop and/or implement services and/or specially designed instruction unique to their professions.
- 4.02 (D) **Quality Standard IV:** Specialized service professionals reflect on their practice.

- 4.02 (D) (1) **Element a:** Specialized service professionals demonstrate that they analyze student learning, development, and growth and apply what they learn to improve their practice.
- 4.02 (D) (2) **Element b:** Specialized service professionals link professional growth to their professional goals.
- 4.02 (D) (3) **Element c:** Specialized service professionals respond to complex, dynamic environments.
- 4.02 (E) **Quality Standard V:** Specialized service professionals demonstrate collaboration, advocacy and leadership.
 - 4.02 (E) (1) **Element a:** Specialized service professionals collaborate with internal and external stakeholders to meet the needs of students.
 - 4.02 (E) (2) **Element b:** Specialized service professionals advocate for students, families and schools.
 - 4.02 (E) (3) **Element c:** Specialized service professionals demonstrate leadership in their educational setting(s).
 - 4.02 (E) (4) **Element d:** Specialized service professionals contribute knowledge and skills to educational practices and their profession.
 - 4.02 (E) (5) **Element e:** Specialized service professionals demonstrate high ethical standards.
- 4.02 (F) **Quality Standard VI:** Specialized service professionals take responsibility for student outcomes.
 - 4.02 (F) (1) **Element a:** Specialized service professionals generate high levels of student outcomes consistent with the requirements of their respective professions.
 - 4.02 (F) (2) **Element b:** Specialized service professionals demonstrate their ability to utilize multiple sources of evidence to evaluate their practice, and make adjustments where needed to continually improve student outcomes.

4.03 Performance Evaluation Ratings for Specialized Service Professionals. The following four Performance Evaluation Ratings for SSPs shall be used statewide: Ineffective, Partially Effective, Effective, and Highly Effective. The Department shall develop a scoring framework to aggregate evidence collected on multiple measures of an SSP's performance on SSP Quality Standards I-V (Professional Practice) and to aggregate evidence collected on multiple measures of an SSP's performance on SSP Quality Standard VI (Student Outcomes) into a single score. This scoring matrix shall allow an evaluator to assign both novice and experienced SSPs to one of the four Performance Evaluation Ratings. School Districts and BOCES may use this scoring framework as an example or may adopt their own scoring framework, provided they ensure that each of the SSP Quality Standards has a measurable influence on the final Professional Practice score assigned to SSPs. While School Districts and BOCES annually must assign a Performance Evaluation Rating to each licensed SSP, School Districts and BOCES have discretion to determine how these ratings will be used for purposes of employment contracts, employee retention, and/or the assignment of probationary or nonprobationary status, if applicable.

4.04 Local Systems for Evaluating Specialized Service Professionals.

- 4.04 (A) School Districts and BOCES shall include a description of their method for evaluating SSPs in the written local system for the evaluation of licensed personnel, described in section 5.01 of these rules. This method shall meet the following criteria:
- 4.04 (A) (1) School Districts or BOCES shall select evaluation measures for each of the nine licensure categories of SSPs employed by the School District or BOCES, which measures shall reflect varying assignments and job duties;
 - 4.04 (A) (2) The evaluation of SSPs shall incorporate multiple measures to evaluate SSPs against the SSP Quality Standards, which measures shall be gathered using multiple formats and occasions;
 - 4.04 (A) (3) Data used in evaluating SSPs shall be collected from the sites, or a representative sample of the sites, at which the SSP provides services;
 - 4.04 (A) (4) At least fifty percent of the evaluation shall be based on at least two measures of student outcomes, which measures shall be aligned with the role and duties and the individual SSP being evaluated;
 - 4.04 (A) (5) At least one of the evaluation measures shall be an observation by the SSP's supervisor(s) or a trained evaluator with relevant professional expertise. The supervisor(s) is encouraged to consult with the SSP in determining the appropriate approach and timing of the observation, based on the SSP's role and duties;
 - 4.04 (A) (6) In addition to an observation, evaluations of SSP's shall be based on at least one of the following performance measures, when appropriate to the SSP's assigned duties: student perception measures, where appropriate and feasible, peer feedback, feedback from parents or guardians, review of student support documentation, and/or any other evidence relevant to the SSP's assigned duties;
 - 4.04 (A) (7) School Districts and BOCES shall seek to ensure that measures to evaluate SSPs against the SSP Quality Standards are valid, meaning that the measures are aligned with the professional services that the SSP provides and that analysis and inferences from the measures can be supported by evidence and logic, and that the measures are reliable, meaning that the measures are stable over time and in substance and that data from the measures will be sufficient to warrant reasonably consistent inferences;
 - 4.04 (A) (8) In making decisions about how to use data collected about SSP performance, School Districts and BOCES shall consider whether the data collected are better suited for use in a high-stakes evaluation or for the purpose of providing feedback and professional development opportunities for the individual professional, or for both purposes provided they are

appropriately weighted. In making this decision, School Districts and BOCES shall consider the technical quality and rigor of the methods used to collect the data, and the technical quality of the data itself;

- 4.04 (A) (9) School Districts and BOCES shall determine how the multiple measures of SSP performance will be aggregated to provide a single rating for professional practice on SSP Quality Standards I-V (professional practice), which will then be combined with a single rating for SSP Quality Standard VI (student outcomes) to determine a final Performance Evaluation Rating. In developing its weighting policies, each School District or BOCES shall ensure that SSP Quality Standards I-V are aggregated in such a way that each standard has a measurable influence on the rating for professional practice. Each School District or BOCES shall ensure that the weight assigned to each particular measure is consistent with the measure's technical quality and rigor;
 - 4.04 (A) (10) School Districts and BOCES shall ensure that the person or persons responsible for supervising each SSP's work is clearly identified to the SSP at the beginning of each contract year. The supervisor(s) shall be responsible for the SSP's evaluation;
 - 4.04 (A) (11) The supervisor(s) for each SSP shall clearly communicate to the SSP the tools that may be used to measure performance against the SSP Quality Standards prior to their use and the weighting policies that will be used to aggregate data for each SSP Quality Standard into a final Performance Evaluation Rating. Supervisors shall clearly articulate for each SSP the category or categories of personnel into which he or she is assigned. School Districts and BOCES that elect to adopt their own locally-developed set of SSP quality standards shall clearly communicate how those local standards align with the state's SSP Quality Standards. Supervisors shall clearly communicate to SSPs the consequences of each category of Performance Evaluation Rating, including how each SSP's assigned rating contributes to the loss or gain of nonprobationary status for that SSP, if applicable;
 - 4.04 (A) (12) A final Performance Evaluation Rating shall be assigned once a year, using a body of evidence collected systematically in the months prior. School Districts and BOCES shall seek to ensure that the complete body of evidence leads to a valid and reliable measure of each professional's performance against the SSP Quality Standards; and
 - 4.04 (A) (13) Prior to and multiple times throughout the evaluation process, the supervisor(s) for each SSP shall engage in professional dialogue with the SSP focused on his/her professional practice and growth for the course of the year.
- 4.04 (B) School Districts and BOCES are strongly encouraged to involve professionals with relevant expertise in the evaluation of each SSP in his or her first three years of practice, any evaluation of an SSP that will be relied upon for decisions concerning job protection status, and once for every third annual evaluation for

all other SSPs. If a School District or BOCES chooses to involve such professionals, the following practices are recommended:

- 4.04 (B) (1) The participation of such professionals may consist of observations, review of documents or data relevant to the evaluation, interviews with educators, parents, and/or students, and/or any other review that relates to the performance of the SSP and is appropriate and informative for the evaluation of the SSP.
- 4.04 (B) (2) For each evaluation in which they participate, School Districts and BOCES are encouraged to ensure that such professionals have participated in the one of the trainings in evaluation skills described in section 5.03 (B) of these rules and meet at least one of the following requirements:
 - 4.04 (B) (2) (a) a credential and/or license and work experience in the same domain as the SSP being evaluated;
 - 4.04 (B) (2) (b) if currently working in the field, a Performance Evaluation Rating of Effective or Highly Effective; and/or
 - 4.04 (B) (2) (c) thorough knowledge about professional expectations and responsibilities, aligned to the SSP Quality Standards.
- 4.04 (B) (3) In advance of the SSP's evaluation, the SSP's supervisor is encouraged to establish the role of any expert's participation in the evaluation.
- 4.04 (B) (4) As a part of the expert's participation in the evaluation process, the expert is encouraged to contribute to actionable feedback for the SSP and shall provide the SSP's supervisor(s) with support designed to advance the supervisor(s)'s knowledge of professional expectations and context.
- 4.04 (C) A School District's or BOCES's policies for evaluating SSPs may reflect a determination that different categories of SSPs or SSPs for whom evaluation results will have greater consequences require varying degrees of evaluation and support.
- 4.04 (D) In developing their written local system for the evaluation of licenses personnel, School Districts and BOCES are encouraged to do the following:
 - 4.04 (D) (1) collaborate with SSPs, including representatives of relevant local associations or federations, if they exist, in the selection of the measures to be used for SSP evaluations, to ensure that these measures are relevant and appropriate;
 - 4.04 (D) (2) include an SSP as a member of the School Districts' or BOCES' advisory personnel performance evaluation council and the district advisory council described in section 5.02 of these rules;

- 4.04 (D) (3) gather student perceptions of their support experiences, not only as a measure of professional practice for purposes of formal evaluation, but also to provide SSPs with ongoing, informal feedback; and
- 4.04 (D) (4) consult with Principals in determining the role that SSP final Performance Evaluation Ratings will play in a Principal's Performance Evaluation Rating.

4.05 Appeals. SSPs who receive a second consecutive Performance Evaluation Rating of Ineffective or Partially Effective and who are not employed at an at-will basis may appeal their rating using the process described in section 5.04 of these rules. School Districts and BOCES may choose to, but are not required to, provide this appeal process for SSPs who are employed on an at-will basis.

4.06 Reporting Requirements. School Districts and BOCES shall submit data, as requested by the Department, to allow the Department to monitor implementation of local personnel evaluation systems. The required data shall be consistent with the data collected for all Educators, as described in section 6.04(C) of these rules, including the Performance Evaluation Ratings assigned to each SSP and the performance results for SSPs on each of the SSP Quality Standards.

4.07 Supporting Implementation of Local Systems for Evaluating Specialized Service Professionals.

4.07 (A) The Department shall develop guidance, based on research and best practices, that School Districts and BOCES may use for the evaluation of SSPs. This guidance shall address the following:

- 4.07 (A) (1) the identification of measures of professional practice for SSPs;
- 4.07 (A) (2) the identification of measures of student outcomes appropriate for SSPs, both in terms of the content and attribution of student outcomes to a particular SSP;
- 4.07 (A) (3) the involvement of SSPs, and relevant local association or federations, if they exist, in choosing or developing appropriate measures of student outcomes that match SSP assigned duties; and
- 4.07 (A) (4) determining circumstances by which it is appropriate to use Student Academic Growth data as one of the measures of student outcomes for SSPs.

4.07 (B) The Department shall develop and maintain a resource bank that supports School Districts and BOCES in the design, implementation and ongoing support of their SSP evaluation systems, and that includes a broad array of materials applicable to multiple SSP contexts.

4.07 (C) The Department, in consultation with the State Council, shall develop a model SSP evaluation system that fits within the State Model System described in section 6.01 of these rules.

- 4.07 (C) (1) The creation of the model SSP evaluation system shall support School Districts and BOCES by providing an exemplar system, rather than requiring each School District and BOCES to develop

a system independently. School Districts and BOCES may adopt the model system or develop their own local system. School Districts and BOCES choosing to develop their own system shall adhere to the requirements outlined in section 4.04 of these rules.

- 4.07 (C) (2) The model SSP evaluation system shall be designed so that it meets the following criteria:
 - 4.07 (C) (2) (a) The model system is complete and fully developed, ready for implementation by School Districts and BOCES that choose to use it;
 - 4.07 (C) (2) (b) The model system is coherent, in that all components of the system are well connected and well-aligned with one another;
 - 4.07 (C) (2) (c) The model system is comprehensive, in that the system over time, services all SSPs;
 - 4.07 (C) (2) (d) The model system is supported, in that the Department provides support for School Districts and BOCES using the system;
 - 4.07 (C) (2) (e) The rollout of the model system will be based on the definition of effectiveness included in section 4.01 of these rules and the SSP Quality Standards; and
 - 4.07 (C) (2) (f) The state model system shall include the following components: an evaluation process; rubrics, tools, and templates differentiated for each of the nine licensure categories; guidance on measures of student outcomes for each of the nine licensure categories; data management and support; guidance on implementation support; guidance on professional development; and decision frameworks.
- 4.07 (C) (3) The model SSP evaluation system shall include rubrics for each category of SSP that accurately reflect distinct professional practices across SSP professions.
- 4.07 (D) The Department is strongly encouraged to establish a pool of professionals with field expertise who are willing to support the evaluation of SSPs in the manner described in section 4.04 (B) of these rules. School Districts and BOCES may use this pool as a resource if they choose to involve these professionals in the evaluation of SSPs.

5.0 LOCAL PERFORMANCE EVALUATION SYSTEMS: DUTIES AND POWERS OF LOCAL SCHOOL BOARDS AND BOARDS OF COOPERATIVE EDUCATION SERVICES

5.01 Required Components of Written Local Evaluation System. Every School District and BOCES shall adopt a written evaluation system that shall contain, but need not be limited to, the following information:

- 5.01 (A) The **purposes of the evaluation system**, which shall include but need not be limited to the following:
- 5.01 (A) (1) providing a basis for the improvement of instruction;
 - 5.01 (A) (2) enhancing implementation of programs of curriculum;
 - 5.01 (A) (3) providing the measurement of satisfactory performance for individual licensed personnel and serving as documentation for an unsatisfactory performance dismissal proceeding under article 63 of title 22;
 - 5.01 (A) (4) serving as a measurement of the professional growth and development of licensed personnel; and
 - 5.01 (A) (5) (a) measuring the level of performance of all licensed personnel within the School District or employed by the BOCES, until the School District or BOCES begins to apply the Principal and Teacher Quality Standards and (b) measuring the effectiveness of all licensed personnel with the School District or employed by the BOCES according to the Principal and Teacher Quality Standards, no later than July 2013.
- 5.01 (B) The licensed personnel **positions to be evaluated**, which shall include all licensed personnel, all part-time Teachers as defined in section 22-63-103 (6), C.R.S., and all Administrators and Principals;
- 5.01 (C) The **title or position of the evaluator** for each licensed personnel position to be evaluated;
- 5.01 (D) Until the School District or BOCES applies the Teacher Quality Standards and Principal Quality Standards, which must occur no later than July 2013, the standards set by the local school board or BOCES for satisfactory performance for licensed personnel and the criteria to be used to evaluate that licensed person's performance against such standards;
- 5.01 (E) No later than July 2013, the **standards** set by the local school board or BOCES for effective performance for licensed personnel and the **criteria** to be used to evaluate the performance of each licensed person against such standards. Though the selected criteria may vary among categories of personnel, in order to reflect the diversity of students taught by Educators, the School District's or BOCES' evaluation system shall apply consistent criteria to each category of personnel, including to various categories of Principals and Teachers;
- 5.01 (E) (1) **Principal Effectiveness and Principal Quality Standards.** No later than July 2013, the definition of Principal effectiveness, included in section 2.01 of these rules, and either the Principal Quality Standards and associated Elements, included in section 2.02 of these rules, or locally adopted standards that meet or exceed the Principal Quality Standards and Elements.
 - 5.01 (E) (2) **Method for Evaluating Performance on Professional Practice.** No later than July 2013, a description of the method for evaluating Principals' Professional Practice, which method shall include data collection for multiple measures on multiple occasions.
 - 5.01 (E) (2) (a) **Required Measures of Principal Professional Practice.** School Districts and BOCES shall measure

Principal performance against Quality Standards I –VI using tools that capture information about the following: (i)input from Teachers employed at the Principal's school, provided that clear expectation is established prior to collection of the data that at least one of the purposes of collecting the input is to inform an evaluation of the Principal's performance and provided that systems are put in place to ensure that the information collected remains anonymous and confidential; and (ii) the percentage and number of Teachers in the school who are rated as effective, highly effective; partially effective; and ineffective, and the number and percentage of Teachers who are improving their performance, in comparison to the goals articulated in the Principal's Professional Performance Plan.

5.01 (E) (2) (b) **Additional Measures of Principal Professional Practice.** In addition to the required measures of Professional Practice, School Districts and BOCES may also use other sources of evidence regarding a Principal's Professional Practice. School Districts and BOCES are strongly encouraged to use measures, where appropriate, that capture evidence about the following: (i) student perceptions; (ii) parent/guardian perceptions; and (iii) perceptions of other Administrators about a Principal's professional performance. Other measures may include the following: (i) direct observations; and (ii) examination of a portfolio of relevant documentation regarding the Principal's performance against the Principal Quality Standards, which may include but need not be limited to professional development strategies and opportunities, evidence of team development, staff meeting notes, school newsletters; content of website pages, award structures developed by the school, master school schedule, or evidence of community partnerships, parent engagement and participation rates, "360 degree" survey tools designed to solicit feedback from multiple stakeholder perspectives, examination of a Unified Improvement Plan, Teacher retention data, external review of budgets, and school communications plan. The Department also shall provide technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period that School Districts and BOCES may use in developing their own measures of Professional Practice.

5.01 (E) (3) **Method for Evaluating Principal Performance Related to Student Academic Growth.** No later than July 2013, a description of the method for evaluating Principals' performance related to Student Academic Growth. The Measures of Student Academic Growth used for evaluating Principals' performance against Quality Standard VII must meet the following criteria:

- 5.01 (E) (3) (a) School Districts and BOCES shall ensure that data included in the school performance framework, required pursuant to section 22-11-204, C.R.S., is used to evaluate Principal performance. School Districts and BOCES may choose to weight specific components of the school performance framework differently than they are weighted in the school performance framework, depending on the Principal's responsibilities and the performance needs of the school, so long as student longitudinal growth carries the greatest weight.
- 5.01 (E) (3) (b) School Districts and BOCES shall incorporate at least one other Measure of Student Academic Growth and must ensure that the Measures of Student Academic Growth selected for Principal evaluations are consistent with the Measures of Student Academic Growth used for the evaluation of Teachers in each Principal's school, as described in section 5.01 (E) (7) of these rules.
- 5.01 (E) (3) (c) School Districts and BOCES are strongly encouraged to involve principals in a discussion of which of the available Measures of Student Academic Growth are appropriate to the Principals' schools and school improvement efforts.
- 5.01 (E) (3) (d) Measures of Student Academic Growth shall reflect the growth of students in all subject areas and grades, not only those in subjects and grades that are tested using Statewide Summative Assessments, and shall reflect the broader responsibility a Principal has for ensuring the overall outcomes of students in the building.
- 5.01 (E) (3) (e) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth correspond to implementation benchmarks and targets included in the Unified Improvement Plan for the school at which a Principal is employed.
- 5.01 (E) (3) (f) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth are valid, meaning that they measure growth towards attainment of the academic standards adopted by the local school board pursuant to § 22-7-1013, C.R.S. and that analysis and inferences from the measures can be supported by evidence and logic.
- 5.01 (E) (3) (g) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth are reliable, meaning that the measures should be reasonably stable over time and in substance and that data from the measures will be sufficient to warrant reasonably consistent inferences.
- 5.01 (E) (3) (h) **Early Childhood - Grade 3.** For the evaluations of Principals responsible for students in early childhood education through grade 3, measures shall be consistent

with outcomes used as the basis for evaluations for Teachers teaching these grade levels, which may include, but are not limited to, assessments of early literacy and/or mathematics shared among members of the school community that may be used to measure student longitudinal growth.

- 5.01 (E) (3) (i) **Grades 4 - 8.** For the evaluation of Principals responsible for students in grades 4-8, a portion of the Principal's evaluation for Quality Standard VII shall be based on the results of the Colorado longitudinal growth model, calculated pursuant to section 22-11-203, C.R.S., for subjects tested by Statewide Summative Assessments. The weight of this measure may be increased to reflect the increased proportion of subjects covered by Statewide Summative Assessments over time. A portion of the Principal's evaluation for Quality Standard VII also shall be based on other appropriate Measures of Student Academic Growth for students in grades 4-8, which may include, but are not limited to, Measures of Student Academic Growth shared among the evaluated personnel in the school.
- 5.01 (E) (3) (j) **Grades 9 - 12.** For the evaluation of Principals responsible for students in grades 9-12, a portion of the Principal's evaluation for Quality Standard VII shall be based on the results of the Colorado longitudinal growth model, calculated pursuant to section 22-11-203, C.R.S., for subjects tested by state summative assessments. To account for the portion of Teachers without direct or indirect results from the Colorado longitudinal growth model, a portion of a Principal's growth determination may be based upon appropriate Measures of Student Academic Growth for personnel teaching in subjects and grades not tested by Statewide Summative Assessments, which may include, but are not limited to, Measures of Student Academic Growth shared among evaluated personnel in the school.
- 5.01 (E) (3) (k) For the evaluation of Principals responsible for students in multiple grade spans, School Districts and BOCES shall select a combination of Measures of Student Academic Growth reflecting the grade levels of all students in the school.
- 5.01 (E) (3) (l) When compiling Measures of Student Academic Growth to evaluate performance against Principal Quality Standard VII, School Districts and BOCES shall give the most weight to those measures that demonstrate the highest technical quality and rigor.
- 5.01 (E) (4) **Weighting of Performance on Principal Quality Standards.** No later than July 2013, a description of the manner in which performance on each of the Principal Quality Standards will be weighed in assigning Principals to a Performance Evaluation Rating. Measures of Principal Professional Practice shall determine fifty percent of a Principal's overall

Performance Evaluation Rating, and Measures of Student Academic Growth shall determine the other fifty percent of the overall Performance Evaluation Rating. Each of the Principal Quality Standards I-VI (Professional Practice) shall have a measurable influence on the overall Performance Evaluation Rating

5.01 (E) (5) **Teacher Effectiveness and Teacher Quality Standards.** No later than July 2013, the definition of Teacher effectiveness, included in section 3.01 of these rules, and either the Teacher Quality Standards and associated Elements, included in section 3.02 of these rules, or locally adopted standards that meet or exceed the Teacher Quality Standards and Elements.

5.01 (E) (6) **Method for Evaluating Teacher Professional Practice.** No later than July 2013, a description of the method for evaluating Teachers' Professional Practice, which method shall include data collection for multiple measures on multiple occasions. School Districts and BOCES shall collect Teacher performance data related to Professional Practice using observations and at least one of the following measures: (a) student perception measures (e.g. surveys), where appropriate and feasible, (b) peer feedback, (c) feedback from parents or guardians; or (d) review of Teacher lesson plans or student work samples.

The method for evaluating Teachers' Professional Practice may include additional measures. The Department also shall provide technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period that School Districts and BOCES may use in developing their own measures of Professional Practice.

In determining how to use the data collected about Teacher performance, whether for written evaluation reports or for informal feedback and identification of appropriate professional development, School Districts and BOCES shall consider the technical quality and rigor of the methods used to collect the data, and the technical quality of the data itself.

5.01 (E) (7) **Method for Evaluating Teacher Performance Related to Student Academic Growth.** No later than July 2013, a description of the method for evaluating Teachers' performance related to Student Academic Growth.

School Districts and BOCES shall categorize Teachers into appropriate categories based on the availability and technical quality of student assessments available for the courses and subjects taught by those Teachers. School Districts and BOCES shall then choose or develop appropriate Measures of Student Academic Growth to be used in the evaluation of each personnel category. The Department will develop technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period, which School Districts and BOCES may choose to use in developing their own Measures of Student Academic Growth. This technical guidance shall address methods for ensuring that such Measures of Student Academic Growth meet minimum standards of credibility, validity, and reliability.

Measures of Student Academic Growth shall be generated from an approach or model that makes design choices explicit and transparent (e.g., in a value-added model, transparency about student- or school-level factors which are statistically-controlled for) and has technical documentation sufficient for an outside observer to judge the technical quality of the approach (i.e., a value-added system must provide adequate information about the model). Measures of Student Academic Growth shall be generated from an approach or model that presents results in a manner that can be understood and used by Educators to improve student performance.

Student Academic Growth shall be measured using multiple measures. When compiling these measures to evaluate performance against Teacher Quality Standard VI, School Districts and BOCES shall consider the relative technical quality and rigor of the various measures.

Measures of Student Academic Growth shall include the following:

- 5.01 (E) (7) (a) A measure of individually-attributed Student Academic Growth, meaning that outcomes on that measure are attributed to an individual licensed person;
- 5.01 (E) (7) (b) A measure of collectively-attributed Student Academic Growth, whether on a school-wide basis or across grades or subjects, meaning that outcomes on that measure are attributed to at least two licensed personnel (e.g., measures included in the school performance framework, required pursuant to section 22-11-204, C.R.S.);
- 5.01 (E) (7) (c) When available, Statewide Summative Assessment results; and
- 5.01 (E) (7) (d) For subjects with annual Statewide Summative Assessment results available in two consecutive grades, results from the Colorado Growth Model.

5.01 (E) (8)

Selection of Additional Measures for Evaluating Teacher Performance Related to Student Academic Growth. The method for evaluating Teachers' performance related to Student Academic Growth may include Measures of Student Academic Growth in addition to those described in section 5.01 (E) (7) of these rules. These additional measures shall meet the following criteria:

- 5.01 (E) (8) (a) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth are valid, meaning that the measures are aligned with the academic standards adopted by the local school board pursuant to § 22-7-1013, C.R.S. and that analysis and inferences from the measures can be supported by evidence and logic;
- 5.01 (E) (8) (b) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth are reliable, meaning that the measures should be stable over time

and in substance and that data from the measures will be sufficient to warrant reasonably consistent inferences;

5.01 (E) (8) (c) In the effort to ensure that Measures of Student Academic Growth are comparable among Teachers of similar content areas and grades, School Districts and BOCES are strongly encouraged to include Teachers in a discussion of which measures are most appropriate to the Teachers' classrooms; and

5.01 (E) (8) (c) For Teachers teaching two or more subjects, individual Measures of Student Academic Growth shall include Student Academic Growth scores from all subjects for which the Teacher is responsible.

5.01 (E) (9) **Weighting of Performance on Teacher Quality Standards.** No later than July 2013, a description of the manner in which performance on each of the Teacher Quality Standards will be weighted in assigning Teachers to a Performance Evaluation Rating.

Measures of Teacher Professional Practice shall determine fifty percent of a Teacher's total overall Performance Evaluation Rating, and Measures of Student Academic Growth shall determine the other fifty percent of the overall Performance Evaluation Rating. Each of the Teacher Quality Standards I-V (Professional Practice) shall have a measurable influence on the final Performance Evaluation Rating.

5.01 (F) The **frequency and duration of the evaluations**, which shall be on a regular basis and of such frequency and duration as to ensure the collection of a sufficient amount of data from which fair and reliable conclusions may be drawn, and which shall meet the following requirements;

5.01 (F) (1) **Principals.** Principals shall receive at least one evaluation that results in a written evaluation report each academic year. The written evaluation report, informed by a body of evidence collected systematically in the months prior, shall rate a Principal as highly effective, effective, partially effective, or ineffective.

5.01 (F) (2) **Teachers.** Probationary Teachers shall receive at least two documented observations and at least one evaluation that results in a written evaluation report each academic year. Nonprobationary Teachers shall receive a written evaluation report each academic year.

The written evaluation report, informed by a body of evidence collected in the months prior, shall include fair and reliable measures of the Teacher's performance against the Teacher Quality Standards and be used to rate a Teacher as highly effective, effective, partially effective, or ineffective. Teachers shall receive the written evaluation report at least two weeks before the last class day of the school year.

5.01 (F) (3) **Ongoing Data Collection and Analysis.** School Districts and BOCES shall collect and analyze data on multiple occasions, in order to provide actionable feedback and support to Educators on a regular basis in an effort to make evaluation an ongoing

process rather than an event and to facilitate continuous improvement.

5.01 (F) (4) **Differentiated Evaluation and Support Needs.** District evaluation policies may reflect a determination that different categories of Teachers require varying degrees of evaluation and support.

5.01 (G) A description of the process that the School District or BOCES used for **validating the evaluation methods** selected by the School District or BOCES. Such process shall address:

5.01 (G) (1) consistency among the multiple measures used for evaluations;

5.01 (G) (2) inter-rater reliability when the measures are applied by different evaluators; and

5.01 (G) (2) consistency of data used to evaluate performance (i.e., observation, surveys, Measures of Student Academic Growth) and the Performance Evaluation Ratings that are assigned.

5.01 (H) A description of the School District's or BOCES' system for ensuring that every Principal is provided with a **Principal Professional Performance Plan**.

5.01 (H) (1) This Principal Professional Performance Plan shall be developed in collaboration with individual Principals and shall outline annual goals for the Principal with respect to his or her school's performance and the resources and supports which will be made available to support the Principal in achieving the outlined goals. A Principal's Professional Performance Plan shall be consistent with the measures that are used to evaluate that Principal and how the Principal Quality Standards are weighted for that Principal's evaluation. School Districts and BOCES are encouraged to include goals related to a Principal's and his or designee's ability to conduct meaningful evaluations of licensed personnel.

5.01 (H) (2) Principals shall be held accountable for progress against the goals laid out in the Principal Professional Performance Plan and School Districts or BOCES shall continually monitor Principal performance goals, provide feedback and adjust support for the Principal as needed.

5.01 (H) (3) The Principal Professional Performance Plan shall include the following:

5.01 (H) (3) (a) Goals addressing the number and percentages of effective Teachers in the school, and the number and percentage of Teachers who are improving, in a manner consistent with the goals for the school outlined in the school's Unified Improvement Plan; and

5.01 (H) (3) (b) Goals addressing school climate and working conditions, developed with reference to a working conditions or school leadership survey

(for example, the state-funded biennial Teaching, Empowering, Leading, and Learning (TELL) initiative survey, required pursuant to section 22-2-503, C.R.S.), and other appropriate data, including conditions highlighted in comprehensive appraisal for district improvement (CADI) and school support team (SST) diagnostic reviews facilitated by the Department.

- 5.01 (H) (4) School Districts and BOCES are also strongly encouraged to include in Principal Professional Performance Plans goals related to staff participation in the TELL initiative survey, required pursuant to section 22-2-503, C.R.S., or other working conditions, culture and climate, or school leadership surveys, and use of survey results to guide improvement efforts.

5.02 Process for Developing Written Local Evaluation System. Colorado statute outlines requirements for various entities to be involved in the development of local personnel evaluation systems. School Districts and BOCES shall collaborate with these entities in developing systems that meet the minimum requirements for evaluation systems described in section 5.01 of these rules.

5.02 (A) Each School District shall have a ***School District advisory personnel performance evaluation council***, which shall, at a minimum, consist of the following members to be appointed by the local school board:

- 5.02 (A) (1) One Teacher;
- 5.02 (A) (2) One Administrator;
- 5.02 (A) (3) One Principal from the School District;
- 5.02 (A) (4) One resident from the School District who is a parent of a child attending a school within the School District; and
- 5.02 (A) (5) One resident of the School District who is not a parent with a child attending school within the School District.

5.02 (B) The council for a school district may be composed of any other School District committee having proper membership, as defined in section 5.02 (A) of these rules.

5.02 (C) Each BOCES that employs licensed personnel must have a ***BOCES advisory personnel performance evaluation council***, which shall, at a minimum, consist of the following members to be appointed by the BOCES:

- 5.02 (C) (1) One Teacher;
- 5.02 (C) (2) One Administrator;
- 5.02 (C) (3) One Principal representative of the School District or Districts participating in the BOCES;
- 5.02 (C) (4) One person employed by the BOCES who is defined as licensed personnel pursuant to section 22-9-103 (1.5), C.R.S.;

- 5.02 (C) (5) One resident who is a parent of a child attending a school within the participating School District(s); and
 - 5.02 (C) (6) One resident who is not a parent of a child attending a school within the participating School District(s).
- 5.02 (D) These advisory personnel performance evaluation councils shall consult with the local school board or BOCES as to the fairness, effectiveness, credibility, and professional quality of the licensed personnel performance evaluation system and its processes and procedures and shall conduct continuous evaluation of the system.
- 5.02 (E) Additionally, each Local School Board, pursuant to section 22-11-301, C.R.S., shall appoint or create a process for the election of a **district accountability committee** that shall consist of:
- 5.02 (E) (1) At least three parents of students enrolled in the School District public schools;
 - 5.02 (E) (2) At least one Teacher who is employed by the School District;
 - 5.02 (E) (3) At least one school Administrator who is employed by the School District; and
 - 5.02 (E) (4) At least one person who is involved in business in the community within the School District boundaries.
- 5.02 (F) Among the other powers and duties outlined in section 22-11-302, C.R.S., a district accountability committee shall be responsible for providing input and recommendations on an advisory basis to Principals concerning the development and use of assessment tools used for the purpose of measuring and evaluating Student Academic Growth as it relates to Teacher evaluations.
- 5.02 (G) Each public school, pursuant to section 22-11-401, C.R.S., shall establish a **school accountability committee**, that shall consist of at least the following members:
- 5.02 (G) (1) the Principal of the school or the Principal's designee;
 - 5.02 (G) (2) at least one Teacher who provides instruction at the school;
 - 5.02 (G) (3) at least three parents of students enrolled in the school;
 - 5.02 (G) (4) at least one adult member of an organization of parents, Teachers and students recognized by the school; and
 - 5.02 (G) (5) at least one person from the community.
- 5.02 (H) Among the other powers and duties outlined in section 22-11-402, C.R.S., a school accountability committee shall be responsible for providing input and recommendations on an advisory basis to district accountability committees and School District administration concerning the Principal Professional Performance Plan for the Principal of their school and Principal evaluations.

5.03 Training for Evaluators and Educators

- 5.03 (A) School Districts and BOCES shall provide training to all evaluators and Educators to provide an understanding of their local evaluation system and to provide the skills and knowledge needed for implementation of the system.
- 5.03 (B) As required by section 22-9-106 (4) (a), C.R.S., all performance evaluations must be conducted by an individual who has completed a training in evaluation skills that has been approved by the Department. Teachers may fill the role of an evaluator if they are a designee of an individual with a Principal or Administrator license and have completed a training on evaluation skills that has been approved by the Department. The Department shall develop a process for approving education and training programs for evaluators that is consistent with the approval process previously developed pursuant to section 22-9-108, C.R.S.
- 5.03 (C) School Districts and BOCES are encouraged to provide training to Teachers, so that Teachers may conduct peer coaching observations in order to support other Teachers by providing actionable feedback on Professional Practice.
- 5.03 (D) School Districts and BOCES shall clearly communicate to all Teachers the tools that will be used to measure their performance of the Teacher Quality Standards prior to their use, and how these will be weighted and aggregated to determine final Performance Evaluation Ratings. School Districts and BOCES shall clearly articulate to each Educator the category or categories of personnel into which they are assigned, and how the growth of the students they teach will be measured for the purpose of informing their Performance Evaluation Rating. School Districts and BOCES that elect to adopt their own locally-developed quality standards for evaluating Teachers shall clearly communicate how those local standards align with the state's Teacher Quality Standards. School Districts and BOCES shall clearly communicate to Teachers the consequences of each category of Performance Evaluation Rating, including how each Teacher's assigned Performance Evaluation Rating contributes to the loss or gain of nonprobationary status for that Teacher.
- 5.03 (E) School Districts and BOCES shall clearly communicate to all Principals the tools that will be used to measure their performance on the Principal Quality Standards prior to their use, how the selected measurement tools will be used to determine his or her performance on each Principal Quality Standard, the party or parties responsible for making decisions, and how these multiple measures will be weighted and aggregated to determine final Performance Evaluation Ratings. School Districts and BOCES shall clearly articulate to Principals how Student Academic Growth for Principals will be measured, and delineate the manner in which these measures are aligned with the Growth Measures for Teachers. School Districts and BOCES that elect to adopt their own locally-developed quality standards for evaluating Principals shall clearly communicate how those local standards align with the state's Principal Quality Standards. School Districts and BOCES shall clearly communicate to Principals the consequences of each category of Performance Evaluation Rating.
- 5.03 (F) School Districts and BOCES shall provide training to Educators to help them understand how the growth of the students for which they are responsible will be measured for their performance evaluation, and to assist Educators in responding to Student Academic Growth data.

5.04 Process for Nonprobationary Teacher to Appeal Second Consecutive Performance Evaluation Rating of Ineffective or Partially Effective

- 5.04 (A) **Requirements for All School Districts.** The following requirements shall apply to the appeal process developed by School Districts for a nonprobationary Teacher to appeal a **second** consecutive Performance Evaluation Rating of

ineffective or partially effective. For purposes of the appeal process, a rating of ineffective and a rating partially effective carry the same consequence; a Teacher shall lose nonprobationary status after receiving two consecutive ratings of either ineffective or partially effective. The appeal process shall allow for a final determination of the appealing Teacher's Performance Evaluation Rating and a final determination of whether that Teacher retains nonprobationary status; it shall not serve the purpose of determining employment and/or termination.

- 5.04 (A) (1) Beginning with the 2015-16 academic school year, each School District shall ensure that a nonprobationary Teacher who objects to a second consecutive Performance Evaluation Rating of ineffective or partially effective has an opportunity to appeal that rating.
- 5.04 (A) (2) The appeal process shall adhere to the following principles:
 - 5.04 (A) (2) (a) the appeal process shall be appropriate to the size and location of the School District;
 - 5.04 (A) (2) (b) the appeal process shall be fair and clearly communicated to Teachers, evaluators, Principals, and, where appropriate, students and parents of students;
 - 5.04 (A) (2) (c) the appeal process shall be a component of a larger system designed to increase the number of educators able to be successful rather than provide excuses for failure;
 - 5.04 (A) (2) (d) the appeal process shall be clearly connected to the School District's educator evaluation process; and
 - 5.04 (A) (2) (e) the appeal process shall be constructed to produce appeals decisions in a timely and decisive manner;
- 5.04 (A) (3) As required by section 22-9-106 (3.5) (b) (II), C.R.S., the appeal process shall be developed, where applicable, through collective bargaining.
- 5.04 (A) (4) The appeal process shall be voluntary for a Teacher, and initiated only if he or she chooses to file an appeal. As required by section 22-9-106 (3.5) (b) (II), C.R.S., at a minimum, the appeal process provided shall allow the nonprobationary Teacher to appeal the rating of ineffectiveness to the superintendent of the School District and shall place the burden upon the nonprobationary Teacher to demonstrate that a rating of effective was appropriate.
- 5.04 (A) (5) The appeal process shall begin on the date that a Teacher receives his or her second consecutive Performance Evaluation Rating of ineffective or partially effective and shall conclude no more than forty-five (45) calendar days after he or she receives the Performance Evaluation Rating. A Teacher shall file an appeal within fifteen (15) calendar days after receiving his or her rating. These time requirements may be waived, by mutual agreement of both the Teacher and the School District.

- 5.04 (A) (6) A Teacher is permitted only one appeal for the second consecutive Performance Evaluation Rating of ineffective or partially effective. A Teacher filing an appeal shall include all grounds for the appeal within a single written document. Any grounds not raised at the time the written appeal is filed shall be deemed waived.
- 5.04 (A) (7) The grounds for an appeal shall be limited to the following:
- 5.04 (A) (7) (a) The evaluator did not follow evaluation procedures that adhere to the requirements of statute and rule and that failure had a material impact on the final Performance Evaluation Rating that was assigned (e.g., an observation was never completed or feedback was never shared with the Teacher); and/or
- 5.04 (A) (7) (b) The data relied upon was inaccurately attributed to the Teacher (e.g., data included in the evaluation was from students for whom the Teacher was not responsible).
- 5.04 (A) (8) Any documents and/or proceedings related to the appeal process shall be confidential.
- 5.04 (A) (9) The superintendent, or his or her designated individual, shall be the final decision-making authority in determining a Teacher's final Performance Evaluation Rating and whether a nonprobationary Teacher shall lose his or her nonprobationary status. The superintendent shall provide a written rationale for his or her final determination.
- 5.04 (A) (10) The appeal process shall be the final determination in regard to the final Performance Evaluation Rating and loss or retention of nonprobationary status.
- 5.04 (A) (11) If the superintendent determines that a rating of ineffective or partially effective was not accurate but there is not sufficient information to assign a rating of effective, the Teacher shall receive a "no score" and shall not lose his or her nonprobationary status. However, if in the following academic school year that Teacher receives a final Performance Evaluation Rating of ineffective or partially effective, this rating shall have the consequence of a second consecutive ineffective rating and the Teacher shall be subject to loss of nonprobationary status.

5.04 (B) **State Model System.** The Department shall include in the State Model System a model appeal process for a nonprobationary Teacher to appeal a second consecutive Performance Evaluation Rating of ineffective or partially effective.

Each School District that adopts the State Model System may choose either of the following options: (1) to use the model appeal process that incorporates the use of a review panel; or (2) to develop its own distinctive appeal process that adheres to the requirements in section 5.04 (A) of these rules.

In addition to meeting the requirements outlined in section 5.04 (A) of these rules, the Department's model appeal process shall include the following components.

5.04 (B) (1) In the model process, the review panel shall serve in an advisory capacity to the superintendent. The superintendent shall be the final decision-making authority in determining the Teacher's final Performance Evaluation Rating

5.04 (B) (2) In the model process, the review panel shall be comprised of members that were not directly involved in the evaluation process for the appealing Teacher. The superintendent may appoint himself or herself to the review panel.

5.04 (B) (3) In the model process, panel members shall be selected and trained in a manner designed to ensure the credibility and expertise of the panel members. The panel shall be comprised of equal numbers of Teachers and administrators, with no more than six panel members total. A process shall be developed to ensure continuity of the review panel members.

5.04 (B) (4) In the model process, the appealing Teacher shall be given the opportunity to address and provide evidence to the review panel in person or in writing. The review panel shall review any written information provided by the appealing Teacher prior to meeting to render a recommendation.

5.04 (B) (5) In the model process, the review panel may invite the Teacher or Teacher's Principal to present in person or in writing where clarification is necessary; however, the Teacher and Principal shall have the right of refusal without prejudice.

5.04 (B) (6) In the model process, in order to overturn a rating of ineffective or partially effective, the panel must unanimously find that the rating of ineffective or partially effective was inaccurate, with the potential for submission of a majority opinion to the superintendent if the panel is not able to reach unanimous consent.

5.04 (C) **Continuous Improvement.** As a part of its review of local personnel evaluation systems and implementation of the State Model System, the Department shall report on the role of the model system appeals process as a lever to ensure broader system accountability. Specifically, the Department shall report on how the appeals process supports the following:

5.04 (C) (1) early identification to Teachers of any performance deficiencies, well in advance of a second consecutive Performance Evaluation Rating of partially effective or ineffective;

5.04 (C) (2) the provision of targeted and timely opportunities, including resources and training, to Teachers to address any identified areas of deficiency promptly after they receive an initial Performance Evaluation Rating of partially effective or ineffective and throughout the following school year;

- 5.04 (C) (3) a process to ensure that effective Teachers are not inappropriately rated as ineffective or partially effective; and
- 5.04 (C) (4) the completion of performance evaluations only by individuals who have completed a training in evaluation skills that has been approved by the Department, as required by section 22-9-106 (4) (a), C.R.S.

6.0 SUPPORTING PILOTING AND IMPLEMENTATION OF REQUIREMENTS FOR LOCAL PERFORMANCE EVALUATION SYSTEMS: DUTIES AND POWERS OF COLORADO DEPARTMENT OF EDUCATION

6.01 Development of Model Principal and Teacher Evaluation System

- 6.01(A) The Department, in consultation with the State Council, shall develop a model Principal and Teacher evaluation system that includes the Principal and Teacher Quality Standards and the personnel evaluation framework and decision-making structure for assigning Performance Evaluation Ratings that are developed by the Department informed by recommendations from the State Council. The State Model System also shall meet all of the requirements described in section 5.01 of these rules that have the following characteristics:
 - 6.01 (A) (1) is complete and fully developed and is ready for implementation by School Districts and BOCES that choose to use it;
 - 6.01 (A) (2) is coherent, in that all components of the system are connected and well-aligned to one another;
 - 6.01 (A) (3) is comprehensive, in that the system, over time, serves all licensed personnel;
 - 6.01 (A) (4) is adaptable for use by School Districts of various sizes and geographical locations; and
 - 6.01 (A) (5) is supported, in that the Department provides supports for School Districts and BOCES using the State Model System.
- 6.01(B) The creation of the State Model System shall support Districts by providing an exemplar system; enable the state to create a high quality system by collecting and analyzing feedback and information during the Pilot Period that will be used to drive systems improvement; and facilitate the ability to identify and disseminate professional and instructional supports directly aligned to the identified needs of Educators. Each School District and BOCES may adopt the State Model System or develop its own distinctive personnel evaluation system that satisfies the requirements in section 5.01 of these rules.
- 6.01 (C) The Department shall provide the following resources for School Districts and BOCES that choose to use the State Model System:
 - 6.01 (C) (1) evaluation process;
 - 6.01 (C) (2) rubrics, tools and templates;
 - 6.01 (C) (3) guidance on the development and selection of appropriate measures of student learning;

- 6.01 (C) (4) support in analyzing state-collected data that may be used in evaluations;
 - 6.01 (C) (5) implementation support;
 - 6.01 (C) (6) initial and ongoing training for evaluators on the use of the State Model System rubrics, tools and templates; and
 - 6.01 (C) (7) guidelines for implementation of the State Model System and for training on implementation.
- 6.01 (D) The Department shall develop technical guidance regarding the development and use of various Student Academic Growth approaches by School Districts and BOCES, which shall be updated as research and best practices evolve. This technical guidance shall be based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period, and School Districts and BOCES may choose to use the technical guidance in developing their own rubrics and tools if they choose to develop their own distinctive personnel evaluation system. Approaches to be addressed within these guidance documents include, but are not limited to:
- 6.01 (D) (1) the development and use of Teacher-, school- or District-developed assessments;
 - 6.01 (D) (2) the use of commercially available interim, summative and pre- and post-course assessments;
 - 6.01 (D) (3) the development and use of Student Academic Growth objectives;
 - 6.01 (D) (4) the development and use of other goal-setting approaches; and
 - 6.01 (D) (5) piloting of new and innovative practices.
- 6.01 (E) The Department shall develop and/or provide examples of the following:
- 6.01 (E) (1) approaches to categorizing personnel for the purposes of measuring individual Student Academic Growth; and
 - 6.01 (E) (2) approaches to categorizing personnel for the purposes of joint attribution of Student Academic Growth; and

6.02 Development of Online Resource Bank

- 6.02 (A) The Department shall create an online, searchable resource bank where School Districts can find resources to implement the State Model System or to develop their own local performance evaluation system.
- 6.02 (B) The Department shall seek input from interested parties on a regular basis to ensure that the resource bank is meeting user needs, and shall review and as necessary update the resource bank at least annually.
- 6.02 (C) The resource bank shall have the following characteristics:
- 6.02 (C) (1) it shall effectively support School Districts and BOCES in the design, implementation and ongoing support of their local performance evaluation systems;

- 6.02 (C) (2) it shall provide timely information at each stage of implementation that is relevant to current School District needs;
- 6.02 (C) (3) it shall be comprehensive in scope and include a broad array of materials applicable to multiple School District contexts, including exemplar lessons contributed from Educators across the state;
- 6.02 (C) (4) it shall include a meaningful quality control process to ensure that resources placed in the resource bank have been reviewed for quality; and
- 6.02 (C) (5) it shall be easy to navigate and have a robust search function.

6.03 Piloting of State Model Principal and Teacher Evaluation System

6.03 (A) The Department, with ongoing support from the State Council, shall select School Districts to pilot various components of the State Model System.

6.03 (B) **Selection of Participating School Districts and BOCES.** The Department will select participating Districts and BOCES on the basis of interest and varying stages of readiness and geographic and size distribution. Selected School Districts and BOCES shall include those that will implement only the aspects of the State Model System that are required by section 5.01 of these rules and those that will implement the State Model System in its entirety, using the same measurement tools, weightings and aggregation methods.

6.03 (C) **Objectives of Pilot Period.** The Department will support the following activities while piloting the State Model System:

- 6.03 (C) (1) development of methods that can be used reliably to assess Student Academic Growth, by facilitating collaboration across the state to develop Measures of Student Academic Growth for all subjects for early childhood through twelfth grade;
- 6.03 (C) (2) use of a Student Academic Growth Objective-based approach to calculating an individual Teacher's Student Academic Growth performance;
- 6.03 (C) (3) use of a measurement tool for collecting Teacher and staff perceptions about schools against the Principal Quality Standards;
- 6.03 (C) (4) use of a measurement tool for collecting student and family perception data;
- 6.03 (C) (5) use of a common statewide personnel evaluation framework and decision-making structure to assign Principals and Teachers to Performance Evaluation Ratings, as described in sections 2.03 and 3.03 of these rules;
- 6.03 (C) (6) analysis of the quality of available measures in evaluating Professional Practice and Student Academic Growth for Principals and Teachers;
- 6.03 (C) (7) information gathering about the costs to various School Districts to implement the State Model System or other systems that comply with all applicable statutory and regulatory requirements;

- 6.03 (C) (8) identification of the resources needed to support School Districts and BOCES based on local characteristics, such as size and geography, Educator demographics, and student demographics;
- 6.03 (C) (9) analysis of the efficiency and effectiveness of BOCES or other structures to support small and/or rural School Districts in implementing evaluation systems that comply with all applicable statutory and regulatory requirements;
- 6.03 (C) (10) development and refinement of a method for the Department to monitor implementation of local personnel evaluation systems and
- 6.03 (C) (11) learning about and from the State Model System in order to make improvements to that system.

6.03 (D) During the Pilot Period, School Districts and BOCES that pilot the State Model System to assign Educators to Performance Evaluation Ratings shall not use these ratings in determining the loss or gain of nonprobationary status for Teachers. Because the intent of the Pilot Period is to test the State Model System, a Teacher whose performance is or is likely to be deemed “ineffective” using the State Model System during the Pilot Period shall be evaluated using the existing personnel evaluation system in place in the participating School District or BOCES.

6.03 (E) **Evaluation of Pilot.** The Department shall evaluate the pilot in order to learn and improve the State Model System by, among other things:

- 6.03 (E) (1) identifying and capturing the critical elements of local implementation and training and the state supports needed to implement high-quality systems statewide;
- 6.03 (E) (2) identifying and capturing innovative practices that School Districts are developing and using that can improve the State Model System; and
- 6.03 (E) (3) assessing the interest among School Districts in the use of the State Model System and identifying barriers to strong local implementation of the State Model System.

6.04 Monitoring and Reporting on Implementation of Requirements for Local Evaluation

Systems. The Department shall monitor School Districts’ and BOCES’ implementation of the requirements for local personnel evaluation systems as described in these rules and as otherwise required by federal or state statute and regulation. The intent of monitoring these systems shall be to understand whether they are implemented in a manner that provides Educators with evaluations using multiple, fair, transparent, timely, rigorous and valid methods and ensures that Educators receive adequate feedback and professional development support to provide them a meaningful opportunity to improve their effectiveness.

Beginning in July 2013, the Department will collect an assurance from each School District and BOCES no later than July 1 of each year, indicating that the School District or BOCES is either implementing the State Model System or is implementing its own distinctive personnel evaluation system that satisfies the requirements in section 5.01 of these rules. These assurances shall be signed by (i) the executive director of the BOCES or superintendent of the School District, and (ii) the chair of the BOCES or local school board.

Additional methods that the Department may use to monitor local personnel evaluation systems are (i) integrating information about evaluation systems into accountability and improvement

efforts, including, if applicable, the school and District performance reports, required pursuant to section 22-11-503, C.R.S., and (ii) incorporating monitoring data into school and District Unified Improvement Plans.

6.04 (A) School Districts and BOCES shall submit data, as requested by the Department, to allow said monitoring to occur and the Department will report this data on the SchoolView data portal. In order to report required data to the Department, School Districts and BOCES shall categorize all Teachers they employ as a Teacher of record and/or contributing professional, using the statewide definitions of those terms that are established by the Department.

6.04 (B) The Department shall only publicly report data related to Performance Evaluation Ratings in the aggregate at the school-, District- and state-level, and shall not publicly report this data for cohorts smaller than five Educators.

6.04 (C) The Department shall publish online the results of these monitoring efforts on or before September 2015, and annually thereafter. At a minimum, monitoring efforts shall focus on the following objectives and include the following analysis:

6.04 (C) (1) Increase the effectiveness of all Educators, the progress of which may be evaluated using the following data:

6.04 (C) (1) (a) the number of Educators assigned to each Performance Evaluation Rating and how those numbers change over time;

6.04 (C) (1) (b) information concerning Teacher and Principal retention, correlated with Performance Evaluation Ratings and reasons Teachers and Principals leave Districts and schools; and

6.04 (C) (1) (c) perception survey data of Colorado Educators, parents and students;

6.04 (C) (2) Analyze the correlation between student performance outcomes and the assignment of Educators to Performance Evaluation Ratings, which may be evaluated using the following data:

6.04 (C) (2) (a) student performance data for each public school and data concerning the number of Educators at each public school assigned to each Performance Evaluation Rating;

6.04 (C) (2) (b) student performance data, organized according to academic subjects and grades, and data concerning the number of Educators assigned to each Performance Evaluation Rating, organized according to academic subjects and grades;

6.04 (C) (2) (c) information concerning the distribution of Educators assigned to each Performance Evaluation Rating within each public school and School District;

6.04 (C) (2) (d) information concerning the correlation of Measures of Student Academic Growth used and student performance on Statewide Summative Assessments; and

6.04 (C) (2) (e) beginning July 2014, information concerning performance results for Educators on each of the Teacher Quality Standards and each of the Principal Quality Standards, and analysis of the correlation between results for individual Educators on the Measures of Student Academic Growth and the Professional Practice measures;

6.04 (C) (3) Analyze the equitable distribution of effective and highly effective Educators, which may be evaluated using the following data:

6.04 (C) (3) (a) the number of Educators assigned to each Performance Evaluation Rating, disaggregated by common course code, Educator demographics, student demographics, and school demographics; and

6.04 (C) (4) Analyze the extent to which Principals and Teachers understand how they are being evaluated, what they need to do to improve, and how to access resources they need to support their professional development, which may be evaluated using surveys, focus groups, and/or feedback received during trainings.

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.

6.05 **Evaluation and Continuous Improvement of the Statewide System to Evaluate the Effectiveness of Licensed Personnel**

The Department shall use information obtained through monitoring and reporting efforts to identify opportunities for improvement. No later than July 1 of each year, beginning in 2012, the State Board shall review these rules (1 CCR 301-87) and, informed by recommendations from the State Council and using information from implementation of the State Model System and other local systems, shall determine whether to affirm or revise the rules in order to reflect what has been learned.

7.0 PARENT AND STUDENT PARTNERSHIP WITH TEACHERS AND PUBLIC SCHOOL ADMINISTRATORS

- 7.01 **Parents and Guardians.** Districts and schools shall create systems and structures that focus on providing parents and guardians with meaningful opportunities to support the academic achievement and growth of their children. These systems and structures shall proactively encourage and support:
- 7.01 (A) high-quality and ongoing communication between parents/guardians and Educators and schools using a variety of methods, such as various media, resources and languages;
 - 7.01 (B) involvements of parents/guardians in school and District leadership as currently supported by law and further identified through the implementation of local evaluation systems; and
 - 7.01 (C) the engagement of parent/guardian and community partnerships to ensure the successful implementation of the Principal and Teacher Quality Standards.
- 7.02 As appropriate, the Department shall provide resources and technical assistance, through the online resource bank, to support Districts in developing systems and structures that provide meaningful opportunities for parents/guardians to support the academic achievement and growth of their children.
- 7.03 The Department shall encourage Districts to monitor and measure the effectiveness of community and family involvement strategies and to use data gathered to inform system refinements.
- 7.04 **Students.** Districts are strongly encouraged to gather student perceptions of their learning experience in order to provide Teachers with feedback on their performance. Where appropriate, Districts are encouraged to use student perception data as part of the multiple measures used to evaluate Teacher Professional Practice, described in section 5.01 (E) (6) of these rules.
- 7.05 Districts are strongly encouraged to gather student perceptions to provide Principals with feedback on their performance.