

Comments and Questions Shared at June 14 Public Meeting

	Public Comment/Question	CDE Response/Recommendation
1	Section 5.01 (F) (2) (a) requires principal evaluations to include the number and percentage of teachers in the principal's school who are rated as effective, highly effective, and partially effective and the number and percentage of teachers in the principal's school that are improving in their performance. Can the rules clarify what that looks like in different contexts? For instance, if a principal's school had all teachers rated as "effective" in previous year, but with new evaluation instruments, the principal determines that not all of those teachers are effective, will that principal be penalized?	The department recommends the following amendment to section 5.01 (F) (2) (a) "...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 in their performance, IN COMPARISON TO THE GOALS ARTICULATED IN THE PRINCIPAL'S PROFESSIONAL PERFORMANCE PLAN.
2	The state should be considering the number and percentage of teachers that are racial and ethnic minorities.	The draft rules, in section 6.04 (C) (3), require the department to monitor and evaluate data concerning "the equitable distribution of effective and highly effective educators, the progress of which may be evaluating using...the number of educators assigned to each Performance Evaluation Rating, disaggregated by common course code, educator demographics, student demographics, and school demographics."
3	How far along in this process will we go before we have valid and reliable measures?	The department recognizes how significant the development of valid and reliable measures will be to the success of evaluation systems, and is participating in several initiatives to make progress in this area. The Department will be launching content collaboratives over the 2011-12 school year to identify, develop and review measures for assessing student growth in multiple content areas, and is participating in two multi-state consortia that have been formed to develop summative assessments for the Common Core content standards, which are included within the Colorado Academic Standards.
4	Is it true that knowledge of content and knowledge of instruction could be only 15% of an overall evaluation rating for teachers? The rules provide no indication of which quality standard is most important, but should	The State Council for Educator Effectiveness did not find enough evidence to warrant certain standards being weighted more heavily than others. The State Council asked that the department collect data during the pilot about the correlations between each quality standard with student outcomes, and the

	better emphasize knowledge of content and knowledge of instruction.	State Council may then re-examine the issue and modify its recommendation. While state law requires that the quality standard related to student academic growth constitute at least 50% of an evaluation rating, the department recommends deferring to the State Council’s recommendation to require that each of the other quality standards be weighted no less than 7.5% of an evaluation, and that districts have flexibility in how they distribute the remaining portion of the evaluation.
5	Teacher quality standard #3 (teachers facilitate learning for their students) seems very “soft” and difficult to measure.	While some of the quality standards could be made more specific, the state model rubric will be designed to include more measurable and demonstrable indicators, and will provide suggested “artifacts” for gathering appropriate information.
6	Reference to knowledge of content is vague—the rules should be more specific about the knowledge we know educators must have, including knowledge of how to teach literacy and mathematics.	The draft rules modify teacher quality standards 1 and 3, to be more specific than what was included in the State Council recommendations, as follows: Quality Standard I: Teachers demonstrate mastery of the content they teach, and knowledge about student literacy development in reading, writing, speaking, viewing and listening. Quality Standard III: Teachers facilitate learning for their students. Element c: Teachers demonstrate a rich knowledge of effective instructional practice to meet the academic needs of their students, including those practices specifically proven effective for literacy and mathematics such as the development of phonological and linguistic skills related to reading (e.g., phonemic awareness, concepts about print, systematic and explicit phonics, other word identification strategies, and spelling instruction), reading comprehension and promotion of independent reading (e.g., promotion of comprehension for a variety of genres, literacy responses and analysis, content area literacy, and student independent reading), and the support of reading through oral and written language development.
7	Requiring all districts to apply the model system, or to submit an application to use their own system (an “opt-out” system) does not respect the appropriate roles for districts and the state in public education. Rather than	Section 22-9-104 (d), C.R.S., requires the state board to “review school district and [BOCES] processes and procedures for licensed personnel performance evaluation systems to assure that such systems are professionally sound; will result in a fair, adequate, and credible evaluation; and will satisfy quality

	<p>rubber stamping or asking districts to prove that they meet the requirements of the law, the appropriate role of the state is to provide support to districts in developing their own system or choosing to adopt the model system. The role of districts is to work with their local communities to develop systems that incorporate local values.</p>	<p>standards in a manner that is appropriate to the size, demographics and location of the school district or [BOCES], and that is consistent with the purposes of [article 22].” Regardless of whether the state model system is the default, out of which districts must opt out, or is something that districts choose to opt into, all local evaluation systems must meet the requirements outlined in statute and regulation and the state board (and department) will need to gather information about systems that are different from the model system in order to fulfill its monitoring obligation. Based on the understanding that a majority of districts would prefer to adopt the model system, an “opt-out” method will minimize the administrative burden for districts and the state.</p>
8	<p>Law requires that local advisory personnel performance evaluation councils (“1338 councils”) “consult with the local school board or BOCES as to the fairness, effectiveness, credibility, and professional quality” of the local evaluation system and its processes and procedures but the rules also require that every district adopt the model system unless they submit an application to use their own system. These provisions seem to contradict one another. If every district is required to use the model system as a default, where is there room for the local council to contribute to the district’s evaluation system?</p>	<p>The department does not believe that these provisions are contradictory. The draft rules allow local communities to determine whether they would like to adopt the state model system, or to submit an application to use their own evaluation system. Even for districts that choose to adopt the state model system, there are numerous decisions related to implementation and evaluation of the model system that will require community input.</p>
9	<p>Portability should not drive the development of these rules or the requirements for local evaluation systems. The requirement that evaluation ratings be transferrable between districts was an afterthought, which was tacked on to S.B. 10-191 to get extra votes for the legislation, and was never vetted with the rest of the bill—it is not a core principal of the legislation.</p>	<p>Statute requires that non-probationary status be portable under certain specified circumstances. Irrespective of the inclusion of portability, a central intent of the statute is that there be a common statewide definition of “effectiveness” and common set of Quality Standards that effective educators must demonstrate. For these reasons, a certain degree of comparability is required by the statute.</p> <p>The department also values the importance of ensuring that local evaluation systems provide comparable support for educators throughout the state, and that data from local evaluation systems provide meaningful information to</p>

		educators, parents and other community members.
10	The reference in the rules to technical guidelines developed by the department is a concern. Requiring districts to comply with technical guidelines would add an extra layer of regulation that has not been vetted during the public rulemaking process and which will not be reviewed by the General Assembly when the rules are submitted.	The department recommends amending the rules to remove references to technical guidelines and to instead require that measures selected by districts to evaluate teacher and principal performance be approved by the department.
11	The department should look very closely at implications of using adequate growth measures for evaluating teachers, particularly for teachers that have extremely high growth targets.	The State Council will continue to explore the implications of using the Colorado Growth Model, and adequate growth in particular, in the evaluation of teachers.
12	Evaluation is only a part of the solution for increasing the effectiveness of educators in Colorado. The department and legislature should be considering how to improve all of the pieces of educator effectiveness (e.g., enhancing recruitment, educator preparation programs, funding for social service providers to assist educators, etc.)	The department agrees that effective evaluation systems are only a piece of what is required to increase the successfulness of educators, and has established a cross-unit team within the department that is charged with ensuring that efforts to support evaluation systems and aligned with efforts to improve recruitment, preparation, licensure, induction, professional development, recognition and retention.
13	Does SB 191 apply to charter schools?	While section 22-9-106, C.R.S. (evaluations for licensed personnel) is one of the statutory sections from which charter schools receive an automatic waiver, the department is seeking legal advice about how to apply section 22-30.5-105(2)(a), C.R.S., which requires every charter contract to specify "the manner in which the school shall comply with the intent of the state statutes, state board rules, and district rules that are waived for the charter school...."
14	How will the evaluation system be applied to career and technical education programs?	The State Council for Educator Effectiveness will be considering how the quality standards for teachers, and the rubrics and tools that are developed as a part of the State Model System, might apply to other categories of licensed personnel, and plans to make recommendations to the State Board in the winter of 2012.
15	Rules should clarify how the system applies to teachers employed by BOCES, which are prohibited by law from obtaining non-probationary status.	Section 22-5-117, C.R.S., states "Any teacher transferred from employment in a school district which is a member of a board of cooperative services to employment in said board of cooperative services shall retain the employment status he had attained prior to his transfer to the board of cooperative

		<p>services, including credit for years of service as a probationary teacher, as provided in article 63 of this title, in the school district from which he transferred.”</p> <p>The department recommends adding the following statement to section 3.03 (B) of the rules: “...THE PERSONNEL EVALUATION SCORING MATRIX SHALL ADDRESS THE STATUTORY REQUIREMENT, OUTLINED IN SECTION 22-5-117, C.R.S., THAT TEACHERS EMPLOYED BY BOCES MUST RETAIN THE EMPLOYMENT STATUS THEY ATTAINED PRIOR TO THEIR TRANSFER TO THE BOCES.”</p>
16	How will the evaluation system be applied to professionals that serve dual roles (e.g., a principal who is also a teacher)?	The department intends to address this topic during the pilot of the State Model System.