

## 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

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

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### 0.00 STATEMENT OF BASIS AND PURPOSE

These rules are promulgated pursuant to Colorado Revised Statutes sections ~~22-2-107(1)(c)~~, 22-9-104(2) and 22-9-105.5(10). 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 ~~Measures of Student Learning Measures of Student Learning~~ Measures of Student Learning; 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.

### 1.00 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.
- 1.05 "Educator" means a principal, administrator, teacher, or special services provider.

- 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, Teacher Quality Standard, or Specialized Services Provider 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.
- 1.078 “Licensed personnel” means any persons employed to instruct students or to administer, direct, or supervise the instructional program in a school in the state ~~who~~ that hold a valid license or authorization pursuant to the provision of article 60.5 of title 22, Colorado Revised Statutes.
- 1.089 “Measures of Student Learning” or “MSLs” mean the methods used by school districts and BOCES for measuring Student Academic Growth in order to evaluate licensed personnel.
- 1.940 “Measures of Student Outcomes” mean the methods used by school districts and BOCES for measuring student outcomes in order to evaluate special services providers. Measures are not limited to academic measures but may include measures focused on increasing access to learning since these educators may concentrate on non-academic factors that affect overall student well-being.
- 1.104 “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.
- 1.112 “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.
- 1.123 “Principal Professional Performance Plan” means the plan required by section 22-9-105.5(3)(a.5), 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 ~~must~~ shall include professional development opportunities.
- 1.134 “Principal Quality Standard” means the Professional Practices or the Measures of Student Learning needed to achieve effectiveness as a principal.
- 1.145 “Principal Evaluation System Framework” means the complete evaluation system that all school districts and BOCES ~~must~~ shall use to evaluate principals employed by them. The complete Principal Evaluation System Framework includes the following components ~~s-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) Measures of Student Learning described in section 5.01 (D) (3) (iii) Measures of Student Learning described in section 5.01 (D) (3) (iii) (iv) (iv)~~ required elements of a written evaluation system described in section 5.01 of these rules, and ~~(iv) (v)~~ 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.
- 1.156 “Professional Practice” means the behaviors, skills, and knowledge that educators should exhibit. Teacher Quality Standards, Principal Quality Standards, and Special Services Providers Quality Standards reflect the Professional Practice expectations for educators in Colorado.

- 1.1~~67~~ “School District” or “District” means a school district organized pursuant to article 30 of title 22, C.R.S.
- 1.1~~78~~ “Special Services Providers” or “SSPs” refers to any person licensed under § 22-60.5-101, et. seq., other than a teacher, principal, or administrator who is employed by any school district to provide professional services to students in direct support of the education instructional program.
- 1.1~~89~~ “Special Services Providers Quality Standards” means the Professional Practices or Measures of Student Outcomes needed to achieve effectiveness as a special~~ized-services~~ provider.
- 1.~~1920~~ “State Board” means the State Board of Education established pursuant to Section 1 of Article IX of the state constitution.
- 1.2~~04~~ “State Council” means the ~~s~~State ~~C~~Council for ~~e~~Educator ~~e~~Effectiveness established pursuant to article 9 of title 22.
- 1.2~~12~~ “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.
- 1.2~~23~~ “Statewide Summative Assessments” mean the assessments administered pursuant to the Colorado student assessment system of assessments adopted by the State Board pursuant to section 22-7-1006, C.R.S.
- 1.2~~34~~ “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 ~~is~~shall ~~be~~ determined using multiple measures, one of which ~~must~~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.
- 1.2~~45~~ “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 measur~~e~~able gain in student performance during the course of instruction.
- 1.2~~56~~ “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 charter school in the state to instruct students.
- 1.2~~67~~ “Teacher Evaluation System Framework” means the complete evaluation system that all school districts and BOCES ~~must~~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) [Measures of Student Learning described in section 5.01 \(D\)\(7\)\(iv\)](#) required elements of a written evaluation system described in section 5.01 of these rules, (v) the weighting and aggregation of evidence of performance to assign a teacher to one (vi) the opportunity to appeal an ineffective rating as contemplated in section 22-9-105.5(3)(e)(VII), C.R.S.

- 1.278 "Teacher Development Plan" means the plan required by section 22-9-105.5 (3) (a), C.R.S., defined in section 22-9-103 (6), C.R.S., It is a written agreement mutually developed by a teacher and his or her principal that outlines the steps to be taken to improve the teacher's effectiveness. The plan may include consideration of induction and mentorship programs, use of highly effective teachers as instructional leaders or coaches, and appropriate professional development activities.
- 1.289 "Teacher Quality Standard" means the Professional Practices or the Measures of Student Learning needed to achieve effectiveness as a teacher.
- 1.2930 "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. 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. Effective principals are adept at creating systems that maximize the utilization of resources, 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 continually improve their positive impact on students and families. As the schools' primary instructional leaders, effective principals enable collaborative communication and reflection based on data to inform curriculum, instruction, and assessment and create structures to facilitate improvement. Effective principals model ethical behavior and continuously reflect on their practice in order to improve systems that support student learning~~

## 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 ~~must~~ base their evaluations of their principals on either the full set of Principal Quality Standards and associated elements included below, or ~~must~~ 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 ~~must~~ 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 sections ~~4.06 and 6.01(A)~~ 4.06 and 6.01(A) of these rules.

2.02 (A) **Quality Standard I:** Principals demonstrate organizational leadership by strategically developing a vision and mission, leading change, enhancing the capacity of personnel, distributing resources, and aligning systems of communication for continuous school improvement.

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 and strategic plan, based on a cycle of~~

continuous improvement of student outcomes, and facilitate their integration and strategic plan, based on a cycle of continuous improvement of student outcomes, 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 collaborate with staff and stakeholders to implement strategies for change to improve student outcomes collaborate with staff and stakeholders to implement strategies for change to improve student outcomes.

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 establish and effectively manage systems that ensure high-quality staff. establish and effectively manage systems that ensure high-quality staff.

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 establish systems and partnerships for managing all available school resources to facilitate improved student outcomes. establish systems and partnerships for managing all available school resources to facilitate improved student outcomes.

~~2.02 (A) (5) **Element e:** Principals facilitate the design and use of a variety of communication strategies with all stakeholders.~~

2.02 (A) (5) **Element e:** Principals facilitate the design and use of a variety of communication strategies with all stakeholders.

2.02 (B) **Quality Standard II:** Principals demonstrate instructional inclusive-inclusive leadership practices that foster a positive school culture and promote safety and equity for all students, staff, and community. practices that foster a positive school culture and promote safety and equity for all students, staff, and community.

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 create a professional school environment and foster relationships that promote staff and student success and well-being create a professional school environment and foster relationships that promote staff and student success and well-being.

2.02 (B) (2) **Element b: Instructional Time:** Principals create processes and schedules which maximize instructional, collaborative and preparation time ensure that the school provides a safe, orderly, and supportive environment that fosters a climate of respect and well-being ensure that the school provides an orderly, and supportive environment that fosters a sense of safety and well-being.

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 commit to an inclusive and positive school environment that meets the needs of all students and promotes the preparation of students to live productively and contribute to the diverse cultural contexts of a global society. commit to an inclusive and positive school environment that meets the needs of all students and promotes the preparation of students to live productively and contribute to the diverse cultural contexts of a global society.~~

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 create and utilize systems to share leadership and support collaborative efforts throughout the school. create and utilize systems to share leadership and support collaborative efforts throughout the school.

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 design and/or utilize structures and processes which result in family and community engagement and support. design and/or utilize structures and processes which result in family and community engagement and support.

2.02 (C) **Quality Standard III:** Principals demonstrate ~~school culture and equity leadership instructional leadership by: aligning curriculum, instruction and assessment; supporting professional learning; conducting observations; providing actionable feedback; and holding staff accountable for student outcomes.~~ instructional leadership by: aligning curriculum, instruction and assessment; supporting professional learning; conducting observations; providing actionable feedback; and holding staff accountable for student outcomes.

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 establish, align, and ensure implementation of a school district or /BOCES plan of instruction, instructional practices, assessments, and use of student data that result in Student Academic Growth and achievement for all students. establish, align, and ensure implementation of a district/BOCES plan of instruction, instructional practices, assessments, and use of student data that result in Student Academic Growth and achievement for all students.

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 foster a collaborative culture of job-embedded professional learning. foster a collaborative culture of job-embedded professional learning.

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 knowledge of effective instructional practice and provide feedback to promote continuous improvement of teaching and learning.

~~2.02 (C) (4) — **Element** knowledge of effective instructional practice and provide feedback to promote continuous improvement of teaching and learning.~~

~~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 hold all staff accountable for setting and achieving measurable student outcomes. hold staff accountable for setting and achieving measurable student outcomes.~~

~~2.02 (D) **Quality Standard IV:** Principals demonstrate human resource professionalism through ethical conduct, reflection, and external professionalism through ethical conduct, reflection, and external 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 demonstrate high standards for professional conduct demonstrate high standards for professional conduct.~~

~~2.02 (D) (2) **Element b: Principals 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 link professional growth to their professional goals link professional growth to their professional goals.~~

~~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 build and sustain productive partnerships with key community stakeholders, including public and private sectors, to promote school improvement, student learning, and student well-being build and sustain productive partnerships with key community stakeholders, including public and private sectors, to promote school improvement, student learning, and student well-being.~~

~~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 ~~must~~ shall be used statewide: ineffective, partially effective, effective, and highly effective. The scoring matrix developed by the Department ~~will~~ shall be used in the State Model System.

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 have a measurable influence on the final Professional Practice score assigned to principals.

### **3.00 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, ongoing 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 ~~must~~ shall base their evaluations of licensed classroom teachers on the full set of Teacher Quality Standards and associated detailed Elements included below or ~~must~~ 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 ~~must~~ 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 sections [4.06](#) and [6.01\(A\)-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 and their district's organized plan of instruction.

3.02 (A) (2) **Element b:** Teachers develop and implement lessons that connect to a variety of content areas/disciplines and emphasize literacy and mathematics.

3.02 (A) (3) **Element c:** Teachers demonstrate knowledge of the content, central concepts, inquiry, appropriate evidence-based instructional practices, and specialized characteristics of the disciplines 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 characterized by acceptable student behavior and efficient use of time in which each student has a positive, nurturing relationship with caring adults and peers.
- 3.02 (B) (2) **Element b:** Teachers demonstrate an awareness of, a commitment to, and respect for multiple aspects of diversity, while working toward common goals as a community of learners.
- 3.02 (B) (3) **Element c:** Teachers engage students as individuals, including those with diverse needs and interests, across a range of ability levels by adapting their teaching for the benefit of all students.
- 3.02 (B) (4) **Element d:** Teachers work collaboratively with the families and/or significant adults for the benefit of students.
- 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 about the ways in which learning takes place, including the levels of intellectual, physical, social, and emotional development of their students.
- 3.02 (C) (2) **Element b:** Teachers use formal and informal methods to assess student learning, provide feedback, and use results to inform planning and instruction.
- 3.02 (C) (3) **Element c:** Teachers integrate and utilize appropriate available technology to engage students in authentic learning experiences.
- 3.02 (C) (4) **Element d:** Teachers establish and communicate high expectations and use processes to support the development of critical-thinking and problem-solving skills.
- 3.02 (C) (5) **Element e:** Teachers provide students with opportunities to work in teams and develop leadership.
- 3.02 (C) (6) **Element f:** Teachers model and promote effective communication.
- 3.02 (D) **Quality Standard IV:** Teachers demonstrate professionalism through ethical conduct, reflection, and leadership.
- 3.02 (D) (1) **Element a:** Teachers demonstrate high standards for professional conduct.
- 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 (D) (4) **Element d:** Teachers demonstrate leadership in the school, the community, and the teaching profession.
- ~~3.02 (E) **Quality Standard VI:** Teachers take responsibility for Student Academic Growth.~~

~~3.02 (E) (1) — **Element a:** Teachers demonstrate high levels of student learning, growth and academic achievement.~~

~~3.02 (E) (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 **mustshall** be used statewide: ineffective, partially effective, effective, and highly effective.

School districts and BOCES may use evaluation structures developed by the Department as an example or may adopt their own structure, provided they ensure that each Performance Evaluation Rating is based fifty percent on ~~Measures of Student Learning Measures of Student Learning Student Academic Growth~~ and that each of the Teacher Quality Standards (Professional Practice) has a measurable influence on the final Performance Evaluation Rating.

School districts and BOCES **mustshall** 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 **mustshall** be specific as to what improvements, if any, are needed in the performance of the teacher and **shall** clearly sets 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 **mustshall** 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 ~~do~~**shall** not apply to at-will employees.

**3.03 (AD) (1) Ineffective.**

3.03 (AD) (1) (a) A teacher whose performance is deemed ineffective **mustshall** 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 (AD) (2) (b) *Implications for earning or losing nonprobationary status:* A nonprobationary teacher who is rated as ineffective for two consecutive years **shall** lose nonprobationary status.

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

3.03 (BD) (1) (a) *Implications for earning or losing nonprobationary status:* (i) A rating of partially effective **mustshall** be considered the first of two consecutive years of ineffective performance that results in loss of nonprobationary status. Nonprobationary status in this instance ~~is~~**shall** only ~~be~~ lost if the teacher is subsequently rated partially effective or ineffective during the following year.

**3.03 (CD) (3) Effective.**

3.03 (C) (13) (a) Implications for earning or losing nonprobationary status: A nonprobationary teacher must maintain an effective rating to retain nonprobationary status. Two consecutive ratings below effective ~~shall~~ result~~s~~ in the loss of nonprobationary status.

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

3.03 (D) (14) (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 SPECIAL SERVICES PROVIDERS

**4.01 Definition of Special Services Providers 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 Special Services Providers Quality Standards.** The SSP Quality Standards outline the knowledge and skills required for effective ~~specialized services s~~ ~~providers~~ ~~viders~~ ~~essional~~ practice and will be used to evaluate SSPs in the state of Colorado. All ~~s~~ School districts and BOCES ~~must~~ ~~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 ~~must~~ ~~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 the Department. While there is a single set of SSP Quality Standards which apply to all licensure categories of SSPs, school districts and BOCES ~~must~~ ~~shall~~ ensure that the tools used to evaluate these ~~providers~~ ~~viders~~ ~~essionals~~ ~~adequately~~ differentiate the ~~P~~professional ~~P~~practices for each category of SSP.

4.02 (A) **Quality Standard I:** Special services providers demonstrate mastery of and expertise in the domain for which they are responsible.

4.02 (A) (1) **Element a:** Special services providers ~~demonstrate knowledge of current developmental science, the ways in which learning takes place, and the appropriate levels of intellectual, social, and emotional development provide services aligned with state and federal laws, local policies and procedures, Colorado Academic Standards, their district’s organized plans of instruction and the individual needs provide services aligned with state and federal laws, local policies and procedures, Colorado Academic Standards, their district’s organized plans of instruction and the individual needs~~ of their students.

4.02 (A) (2) **Element b:** Special services providers 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:** Special services providers ~~demonstrate knowledge of their professions and demonstrate knowledge of their professions and~~ integrate

evidence-based practices and research findings into their services ~~and/or specially designed instruction.~~

~~4.02 (A) (4) — **Element d:** Special services providers demonstrate knowledge of the interconnectedness of home, school, and community influences on student achievement.~~

~~4.02 (A) (5) — **Element e:** Special services providers demonstrate knowledge of and expertise in their professions.~~

4.02 (B) **Quality Standard II:** Special services providers support ~~and/or~~ establish safe, inclusive, and respectful learning environments for a diverse population of students.

4.02 (B) (1) **Element a:** Special services providers foster ~~a a safe, and accessible, and predictable and predictable~~ learning environments ~~characterized by acceptable student behavior and efficient use of time characterized by acceptable student behavior and efficient use of time~~ in which each student has a positive, nurturing relationship with caring adults and peers.

4.02 (B) (2) **Element b:** Special services providers ~~demonstrate respect for understand and respond to understand and respond to~~ diversity within the home, school, and ~~local and global communities community. community.~~

4.02 (B) (3) **Element c:** Special services providers engage students as ~~unique individuals with diverse backgrounds, interests, strengths, and needs and interests, across a range of ability levels by adapting services for the benefit of students, and interests, across a range of ability levels by adapting services for the benefit of students.~~

4.02 (B) (4) **Element d:** Special services providers ~~engage in proactive, clear, and constructive communication and work e work~~ collaboratively with ~~students, the the~~ families, and ~~or other/or~~ significant adults ~~and/or professionals for the benefit of students. for the benefit of students.~~

~~4.02 (B) (5) — **Element e:** Special services providers 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:** Special services providers plan, ~~and and~~ deliver, ~~and/or monitor effective effective~~ services ~~and/or specially designed instruction and/or create in an in an~~ environments that facilitate ~~ss~~ learning for their students.

4.02 (C) (1) **Element a:** Special services providers ~~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 apply knowledge of the ways in which learning takes place, including the appropriate levels of intellectual, physical, social, and emotional development of their students. apply knowledge of the ways in which learning takes place, including the appropriate levels of intellectual, physical, social, and emotional development of their students.~~

4.02 (C) (2) **Element b:** Special services providers utilize ~~multiple sources of data, which include valid informal and/or formal and informal and informal~~ assessments, to inform ~~services and/or specially designed instruction planning and service delivery planning and service delivery.~~

- 4.02 (C) (3) **Element c:** Special services providers ~~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 integrate and utilize appropriate available technology to engage students in authentic learning experiences.~~ integrate and utilize appropriate available technology to engage students in authentic learning experiences.
- ~~4.02 (C) (4) **Element d:** Special services providers support and integrate appropriate available technology in their services and/or specially designed instruction to maximize student outcomes.~~
- 4.02 (C) (445) **Element edd:** Special services providers establish and communicate high expectations ~~for their students that and use strategies to and use strategies to~~ support the development of critical-thinking, ~~problem-solving skills, and problem-solving skills, and~~ self-advocacy, ~~leadership and problem solving skills.~~
- 4.02 (C) (56)5) **Element efe:** Special services providers ~~communicate effectively with students develop and implement services related to student needs, learning, and progress towards goals.~~ develop and implement services related to student needs, learning, and progress towards goals.
- 4.02 (C) (667) **Element gff:** Special services providers ~~develop and/or implement services and/or specially designed instruction unique to their professions model and promote effective communication.~~ model and promote effective communication.
- 4.02 (D) **Quality Standard IV:** Special services providers ~~reflect on their practice demonstrate professionalism through ethical conduct, reflection, and leadership.~~ demonstrate professionalism through ethical conduct, reflection, and leadership.
- 4.02 (D) (1) **Element a:** Special services providers demonstrate ~~that they analyze student learning, development, and growth and apply what they learn to improve their practice high standards for ethical and professional conduct.~~ high standards for ethical and professional conduct.
- 4.02 (D) (2) **Element b:** Special services providers link professional growth to their professional goals.
- 4.02 (D) (3) **Element c:** Special services providers are able to respond to ~~a a~~ complex, dynamic environments~~.~~
- ~~4.02 (D) (4) **Element d:** Special service providers demonstrate leadership and advocacy in the school, the community, and their profession.~~
- 4.02 (D) (4) **Element d:** Special service providers demonstrate leadership and advocacy in the school, the community, and their profession.
- ~~4.02 (E) **Quality Standard V:** Special services providers demonstrate collaboration, advocacy and leadership.~~
- 4.02 (E) (1) ~~**Element a:** Special services providers collaborate with internal and external stakeholders to meet the needs of students.~~

~~4.02 (E) (2) — **Element b:** Special services providers advocate for students, families and schools.~~

~~4.02 (E) (3) — **Element c:** Special services providers demonstrate leadership in their educational setting(s).~~

~~4.02 (E) (4) — **Element d:** Special services providers contribute knowledge and skills to educational practices and their profession.~~

~~4.02 (E) (5) — **Element e:** Special services providers demonstrate high ethical standards.~~

~~4.02 (F) — **Quality Standard VI:** Special services providers take responsibility for student outcomes.~~

~~4.02 (F) (1) — **Element a:** Special services providers generate high levels of student outcomes consistent with the requirements of their respective professions.~~

~~4.02 (F) (2) — **Element b:** Special services providers 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 Special Services Providers.** The following four Performance Evaluation Ratings for SSPs **mustshall** be used statewide: ineffective, partially effective, effective, and highly effective. School districts and BOCES may use the scoring framework developed by the Department as an example or may adopt their own scoring framework, provided they ensure that each of the SSP Professional Practices 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 Special Services Providers**

4.04 (A) School districts and BOCES **mustshall** 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 **mustshall** meet the following criteria:

4.04 (A) (1) School districts or BOCES **mustshall** select evaluation measures for each of the nine licensure categories of SSPs employed by the school district or BOCES, which measures **mustshall** reflect varying assignments and job duties;

4.04 (A) (2) The evaluation of SSPs **mustshall** incorporate multiple measures to evaluate SSPs against the SSP Quality Standards, which measures **mustshall** be gathered using multiple formats and occasions;

4.04 (A) (3) Data used in evaluating SSPs **mustshall** 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 **mustshall** be based on at least two measures of student outcomes, which measures **mustshall** be aligned with the role and duties and the individual SSP being evaluated;

- 4.04 (A) (5) At least one of the evaluation measures ~~must~~**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 ~~must~~**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), 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 ~~must 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 ~~must 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 ~~must 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 ~~must shall~~ determine how the multiple measures of SSP performance will be aggregated to provide a single rating for ~~P~~professional ~~P~~ractice on SSP Quality Standards I-~~IV~~~~IV~~ (~~P~~professional ~~P~~ractice), which will then be combined with a single rating for ~~SSP Quality Standard VI (Measures of Student Outcomes)~~ to determine a final Performance Evaluation Rating. In developing its weighting policies, each school district or BOCES ~~must shall~~ ensure that SSP Quality Standards I-~~IV~~ are aggregated in such a way that each standard has a measurable influence on the rating for ~~P~~professional ~~P~~ractice. Each school district or BOCES ~~must 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 ~~must 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) ~~is shall be~~ responsible for the SSP's evaluation;
- 4.04 (A) (11) The supervisor(s) for each SSP ~~must 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 ~~P~~performance ~~E~~valuation ~~R~~ating. Supervisors ~~must 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 ~~must shall~~ clearly communicate how those local standards align with the state's SSP Quality Standards. Supervisors ~~must 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 ~~P~~performance ~~E~~evaluation ~~R~~rating ~~must~~shall be assigned once a year, using a body of evidence collected systematically in the months prior. School districts and BOCES ~~must~~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 ~~must~~shall engage in professional dialogue with the SSP focused on his/her ~~P~~professional ~~P~~practice and growth for the course of the year.
- 4.04 (B) School districts and BOCES are strongly encouraged to involve ~~providers~~~~professionals~~~~viders~~ with relevant expertise in the evaluation of each SSP in his or her first three years of practice, for 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 ~~providers~~~~viders~~~~professionals~~~~fessionals~~, the following practices are recommended:
- 4.04 (B) (1) The participation of such ~~providers~~~~viders~~~~fessionals~~ 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 ~~providers~~~~viders~~~~fessionals~~ 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 ~~P~~performance ~~E~~evaluation ~~R~~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 ~~must~~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 licensed 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 district's 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 on 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 ~~must~~ submit data, as requested by the Department, to allow the Department to monitor implementation of local personnel evaluation systems. The required data ~~must~~ be consistent with the data collected for all educators, as described in section 6.014(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 ~~and Measures of Student Outcomes, and Measures of Student Outcomes.~~
- 4.07 Supporting Implementation of Local Systems for Evaluating Specialized Services Providers.**
- 4.07 (A) The Department ~~will~~ 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 (B) The Department is strongly encouraged to establish a pool of ~~providers~~ ~~viders~~ ~~fessionals~~ 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 ~~providers~~ ~~viders~~ ~~fessionals~~ in the evaluation of SSPs.
- 5.00 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 ~~must~~ adopt a written evaluation system meeting or exceeding the components of the State Model System that ~~shall~~ contain ~~s, s,~~ but need not be limited to, the following information:
- 5.01 (A) The purposes of the evaluation system, including, but not 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; and
- 5.01 (A) (4) serving as a measurement of the professional growth and development of licensed personnel.
- 5.01 (B) The licensed personnel positions to be evaluated, which ~~shall~~ includes all teachers, including part-time as defined in section 22-63-103(6), C.R.S., SSPs, administrators, and principals;
- 5.01 (C) The title or position of the evaluator for each ~~+~~ position to be evaluated;
- 5.01 (D) 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, consistent across types of licensed personnel. Though the selected criteria may vary among categories of personnel, to reflect the diversity of students, the evaluation system mustshall apply consistent criteria to each category of personnel, including the various categories of principals, teachers, and SSPs;
- 5.01 (D) (1) **Principal Effectiveness and Principal Quality Standards.** 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 (D) (2) **Method for Evaluating Performance on Professional Practice.** A description of the method for evaluating principals' Professional Practice, which method mustshall include data collection for multiple measures on multiple occasions.
- 5.01 (D) (2) (a) **Required Measures of Principal Professional Practice.** School districts and BOCES mustshall measure principal performance against Quality Standards I-IV 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 (D) (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.

5.01 (D) (3) **Method for Evaluating Principal Performance Related to ~~Student Academic Growth~~Measures of Student Learning ~~Student Academic Growth~~.**  
A description of the method for evaluating principals' performance related to Student Academic Growth. The Measures of Student ~~Learning Learning Academic Growth~~ used for evaluating principals' performance ~~against Quality Standard VII~~ must meet the following criteria:

5.01 (D) (3) (a) School districts and BOCES ~~must 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 (D) (3) (b) School districts and BOCES ~~must shall~~ incorporate at least one other Measure of Student ~~Learning Learning Academic Growth~~ and must ensure that the Measures of Student ~~Learning Learning Academic Growth~~ selected for principal evaluations are consistent with the Measures of Student ~~Learning Learning Academic Growth~~ used for the evaluation of teachers in each principal's school, as described in section 5.01 (D) (7) of these rules.

5.01 (D) (3) (c) School districts and BOCES are strongly encouraged to involve principals in a discussion of which of the available Measures of Student ~~Learning Learning Academic Growth~~ are appropriate to the principals' schools and school improvement efforts.

5.01 (D) (3) (d) Measures of Student ~~Learning Learning Academic Growth~~ ~~must 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 ~~must shall~~ reflect the broader responsibility a principal has for ensuring the overall outcomes of students in the building.

5.01 (D) (3) (e) School districts and BOCES ~~must shall~~ seek to ensure that Measures of Student ~~Learning Learning 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 (D) (3) (f) School districts and BOCES ~~must shall~~ seek to ensure that Measures of Student ~~Learning Learning Academic Growth~~ are valid, meaning that they measure growth towards attainment of the academic standards adopted by the local school board pursuant to section 22-7-1013, C.R.S. and that analysis and inferences from the measures can be supported by evidence and logic.
- 5.01 (D) (3) (g) School districts and BOCES ~~must shall~~ seek to ensure that Measures of Student ~~Learning Learning 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 (D) (3) (h) **Early Childhood - Grade 3.** For those principals responsible for students in early childhood education through grade 3, evaluation measures ~~must 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 (D) (3) (i) **Grades 4-8.** For those principals responsible for students in grades 4-8, a portion of the evaluation for ~~Quality Standard VII Measures of Student Learning Measures of Student Learning~~ ~~must 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 ~~must shall~~ be based on other appropriate Measures of Student ~~Learning Learning Academic Growth~~ for students in grades 4-8, which may include, but are not limited to, Measures of Student ~~Learning Learning Academic Growth~~ shared among the evaluated personnel in the school.
- 5.01 (D) (3) (j) **Grades 9-12.** For those principals responsible for students in grades 9-12, a portion of the evaluation ~~for Quality Standard VII~~ ~~must 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 ~~Learning Learning 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 ~~Learning Learning Academic Growth~~ shared among evaluated personnel in the school.
- 5.01 (D) (3) (k) For the evaluation of principals responsible for students in multiple grade spans, school districts and BOCES ~~must shall~~ select a combination of Measures of Student ~~Learning Learning Academic Growth~~ reflecting the grade levels of all students in the school.
- 5.01 (D) (3) (l) When compiling Measures of Student ~~Learning Learning Academic Growth~~ to evaluate performance, ~~against Principal Quality Standard VII~~, school districts and BOCES ~~must shall~~ give the most

weight to those measures that demonstrate the highest technical quality and rigor.

5.01 (D) (4) **Weighting of Performance on Principal Quality Standards.** A description of the manner in which performance on each of the Principal Quality Standards will be weighed in assigning a Performance Evaluation Rating. Measures of Principal Professional Practice ~~must shall~~ determine fifty percent of a principal's overall Performance Evaluation Rating, and Measures of Student ~~Learning Learning Academic Growth~~ ~~must shall~~ determine the other fifty percent of the overall Performance Evaluation Rating. Each of the Principal Quality Standards I-IV~~-(Professional Practice)~~ ~~must shall~~ have a measurable influence on the overall Performance Evaluation Rating.

5.01 (D) (5) **Teacher Effectiveness and Teacher Quality Standards.** 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 (D) (6) **Method for Evaluating Teacher Professional Practice.** ~~NA~~ description of the method for evaluating teachers' Professional Practice, which method ~~must shall~~ include data collection for multiple measures on multiple occasions. School districts and BOCES ~~must 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.

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 ~~must 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 (D) (7) **Method for Evaluating Teacher Performance Related to Student Academic Growth** ~~Measures of Student Learning Student Academic Growth~~. A description of the method for evaluating teachers' performance related to Student Academic Growth.

School districts and BOCES ~~must 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 ~~must shall~~ then choose or develop appropriate Measures of Student ~~Learning Learning Academic Growth~~ to be used in the evaluation of each personnel category.

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

Measures of Student ~~Learning Learning Academic Growth~~ must shall include the following:

5.01 (D) (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 (D) (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 (D) (7) (c) When available, statewide summative assessment results; and

5.01 (D) (7) (d) For subjects with annual statewide summative assessment results available in two consecutive grades, results from the Colorado Growth Model.

5.01 (D) (8) **Selection of Additional Measures for Evaluating Teacher Performance Related to ~~Student Academic Growth~~ Measures of Student Learning ~~Student Academic Growth~~.** The method for evaluating Teachers' performance related to Student Academic Growth may include Measures of Student ~~Learning Learning Academic Growth~~ in addition to those described in section 5.01 (~~DE~~) (7) of these rules. These additional measures must shall meet the following criteria:

5.01 (D) (8) (a) School districts and BOCES must shall seek to ensure that Measures of Student ~~Learning Learning Academic Growth~~ are valid, meaning that the measures are aligned with the academic standards adopted by the local school board pursuant to section 22-7-1013, C.R.S. and that analysis and inferences from the measures can be supported by evidence and logic;

5.01 (D) (8) (b) School districts and BOCES must shall seek to ensure that Measures of Student ~~Learning Learning 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 (D) (8) (c) In the effort to ensure that Measures of Student ~~Learning Learning 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 (D) (8) (d) For teachers teaching two or more subjects, individual Measures of Student ~~Learning Learning Academic Growth~~ must shall include Student Academic Growth scores from all subjects for which the teacher is responsible.

5.01 (D) (9) **Weighting of Performance on Teacher Quality Standards.** 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 ~~must shall~~ determine fifty percent of a teacher's total overall Performance Evaluation Rating, and Measures of Student ~~Learning Learning Academic Growth~~ ~~must shall~~ determine the other fifty percent of the overall Performance Evaluation Rating. Each of the Teacher Quality Standards I-IV (Professional Practice) ~~must shall~~ have a measurable influence on the final Performance Evaluation Rating.

5.01 (E) The frequency and duration of the evaluations, which ~~must 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 (E) (1) **Principals.** Principals ~~must 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, ~~must shall~~ rate a principal as highly effective, effective, partially effective, or ineffective.

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

The written evaluation report, informed by a body of evidence collected in the months prior, ~~must 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. ~~IT~~ Teachers ~~must shall~~ receive the written evaluation report at least two weeks before the last class day of the school year.

5.01 (E) (3) **Ongoing Data Collection and Analysis.** School districts and BOCES ~~must 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 (E) (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 (F) A description of the process that the school district or BOCES used for validating its evaluation methods. Such process ~~must shall~~ address:

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

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

5.01 (F) (3) consistency of data used to evaluate performance (i.e., observation, surveys, Measures of Student ~~Learning Learning Academic Growth~~) and the Performance Evaluation Ratings that are assigned.

5.01 (G) 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 (G) (1) This Principal Professional Performance Plan ~~must shall~~ be developed in collaboration with individual principals and ~~must 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 ~~must 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 ~~her~~ designee's ability to conduct meaningful evaluations of licensed personnel.

5.01 (G) (2) Principals ~~must shall~~ be held accountable for progress against the goals laid out in the Principal Professional Performance Plan and school districts or BOCES ~~must shall~~ continually monitor performance goals, provide feedback and adjust support for the principal as needed.

5.01 (G) (3) The Principal Professional Performance Plan ~~must shall~~ include the following:

5.01 (G) (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 (G) (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 and Learning Conditions in Colorado (TLCC) 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 (G) (4) School districts and BOCES are also strongly encouraged to include in Principal Professional Performance Plans goals related to staff participation in the Teaching and Learning Conditions in Colorado (TLCC) Survey, administered by the Department 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 ~~must 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 ~~must shall~~ have an **advisory personnel performance evaluation council**, which ~~shall~~, at a minimum, consists of the following members 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 school district resident who is a parent of a child attending a school within the school district; and
- 5.02 (A) (5) One school district resident 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, consists 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 ~~must~~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 ~~must shall~~ conduct continuous evaluation of the system.
- 5.02 (E) Additionally, each local school board, pursuant to section 22-11-301, C.R.S., ~~must 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 ~~is 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., ~~must shall~~ establish a school accountability committee that ~~shall~~ consists 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 ~~is 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 ~~must 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 its implementation.

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 Department-approved training in evaluation skills. 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 Department-approved training on evaluation skills. The Department ~~must 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 ~~must shall~~ clearly communicate to all teachers the tools that will be used to measure their performance of the Teacher Quality Standards ~~and Measures of Student Learning and Measures of Student Learning~~ prior to their use, and how these will be weighted and aggregated to determine final Performance Evaluation Ratings. School districts and BOCES ~~must shall~~ clearly articulate to each educator the personnel category into which they are assigned, and how the growth of the students they teach will be measured for the purpose of informing their ~~P~~performance ~~E~~evaluation ~~R~~rating. School districts and BOCES that elect to adopt their own locally developed quality standards for evaluating teachers ~~must shall~~ clearly communicate how those local standards align with the state's Teacher Quality Standards. School districts and BOCES ~~must shall~~ clearly communicate to teachers the consequences of each category of Performance Evaluation Rating, including how each teacher's assigned rating contributes to the loss or gain of nonprobationary status.

5.03 (E) School districts and BOCES ~~must shall~~ clearly communicate to all principals the tools that will be used to measure their performance on the Principal Quality Standards ~~and Measures of Student Learning and Measures of Student Learning~~ prior to their use, how the selected measurement tools will be used to determine 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 ratings. School districts and BOCES ~~must 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 of Student Learning of Student Learning~~ for teachers. School districts and BOCES that elect to adopt their own locally-developed quality standards for evaluating principals ~~must shall~~ clearly communicate how those local standards align with the state's Principal Quality Standards. School districts and BOCES ~~must shall~~ clearly communicate to principals the consequences of each category of ~~P~~performance ~~E~~evaluation ~~R~~rating.

5.03 (F) School districts and BOCES ~~must 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 ~~P~~performance ~~E~~evaluation ~~R~~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~~ loses nonprobationary status after receiving two consecutive ratings of either ineffective or partially effective. The appeal process ~~must shall~~ allow for a final determination of the appealing teacher's ~~P~~performance ~~E~~evaluation ~~R~~rating and a final determination of whether that teacher retains nonprobationary status; it ~~doesshall~~ 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 ~~mustshall~~ ensure that a nonprobationary teacher who objects to a second consecutive ~~P~~performance ~~E~~evaluation ~~R~~rating of ineffective or partially effective has an opportunity to appeal that rating.

5.04 (A) (2) The appeal process ~~mustshall~~ adhere to the following principles:

5.04 (A) (2) (a) the appeal process ~~mustshall~~ be appropriate to the size and location of the school district;

5.04 (A) (2) (b) the appeal process ~~mustshall~~ 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 ~~mustshall~~ 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 ~~mustshall~~ be clearly connected to the school district's educator evaluation process; and

- 5.04 (A) (2) (e) the appeal process ~~must~~ shall be constructed to produce appeals decisions in a timely and decisive manner;
- 5.04 (A) (3) The appeal process ~~must~~ shall be developed, where applicable, through collective bargaining.
- 5.04 (A) (4) The appeal process ~~must~~ 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 (4.5) (b), C.R.S., at a minimum, the appeal process provided ~~must~~ 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~~ begins on the date that a teacher receives his or her second consecutive ~~P~~ performance ~~E~~ evaluation ~~R~~ rating of ineffective or partially effective and ~~shall~~ concludes ~~s~~ no more than forty-five (45) calendar days after he or she receives the ~~P~~ performance ~~E~~ evaluation ~~R~~ rating. A teacher ~~must~~ 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 ~~P~~ performance ~~E~~ evaluation ~~R~~ rating of ineffective or partially effective. A teacher filing an appeal ~~must~~ 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~~ are deemed waived.
- 5.04 (A) (7) The grounds for an appeal ~~are~~ 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 ~~P~~ performance ~~E~~ evaluation ~~R~~ 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 ~~must~~ be deemed shall be confidential.
- 5.04 (A) (9) The superintendent, or his or her designated individual, ~~is~~ shall be the final decision-making authority in determining a teacher's final ~~P~~ performance ~~E~~ evaluation ~~R~~ rating and whether a nonprobationary teacher ~~shall~~ loses his or her nonprobationary status. The superintendent ~~must~~ shall provide a written rationale for his or her final determination.
- 5.04 (A) (10) The appeal process ~~is~~ shall be final in regard to the final ~~P~~ performance ~~E~~ evaluation ~~R~~ 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 ~~must~~ shall receive a "no score" and ~~must~~ shall not lose his

or her nonprobationary status. However, if in the following academic school year that teacher receives a final ~~P~~performance ~~E~~evaluation ~~R~~rating of ineffective or partially effective, this rating ~~shall have~~ the consequence of a second consecutive ineffective rating and the teacher ~~is shall be~~ subject to loss of nonprobationary status.

- 5.04 (B) **State Model System.** The Department ~~must shall~~ include in the State Model System a model appeal process for a nonprobationary teacher to appeal a second consecutive ~~P~~performance ~~E~~evaluation ~~R~~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 ~~must shall~~ include the following components.

- 5.04 (B) (1) The review panel ~~must shall~~ serve in an advisory capacity to the superintendent. The superintendent ~~must shall~~ be the final decision-making authority in determining the teacher's final ~~P~~performance ~~E~~evaluation ~~R~~rating.

- 5.04 (B) (2) The review panel ~~must 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) Panel members ~~must shall~~ be selected and trained in a manner designed to ensure the credibility and expertise of the panel members. The panel ~~must shall~~ be comprised of equal numbers of teachers and administrators, with no more than six panel members total. A process ~~must shall~~ be developed to ensure continuity of the review panel members.

- 5.04 (B) (4) The appealing teacher ~~must shall~~ be given the opportunity to address and provide evidence to the review panel in person or in writing. The review panel ~~must shall~~ review any written information provided by the appealing teacher prior to meeting to render a recommendation.

- 5.04 (B) (5) 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) 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 ~~must shall~~ report on the role of the model system appeals process as a lever to ensure broader system accountability. Specifically, the Department ~~must 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 ~~P~~performance ~~E~~evaluation ~~R~~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 ~~P~~performance ~~E~~evaluation ~~R~~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 Department-approved training in evaluation skills, as required by section 22-9-106(4)(a), C.R.S.

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

### 6.01 Monitoring and Reporting on Implementation of Requirements for Local Evaluation

**Systems.** The Department ~~will~~~~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 ~~is~~~~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.

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 ~~must~~~~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.

6.01 (A) School districts and BOCES ~~must~~~~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 ~~must~~ ~~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.

6.01 (B) The Department ~~may~~~~shall~~ only publicly report data related to ~~P~~performance ~~E~~evaluation ~~R~~ratings in the aggregate at the school-, district- and state-level, and ~~may~~~~shall~~ not publicly report this data for cohorts smaller than five educators.

- 6.01 (C) The Department ~~will~~shall annually publish online the results of these monitoring efforts. At a minimum, monitoring efforts ~~must~~shall focus on the following objectives and include the following analysis:
- 6.01 (C) (1) Increase the effectiveness of all educators, the progress of which may be evaluated using the following data:
- 6.01 (C) (1) (a) the number of educators assigned to each Performance Evaluation Rating and how those numbers change over time;
- 6.01 (C) (1) (b) information concerning teacher and principal retention, correlated with Performance Evaluation Ratings and reasons teachers and principals leave districts and schools; and
- 6.01 (C) (1) (c) perception survey data of Colorado educators, parents and students.
- 6.01 (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:
- 6.01 (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;
- 6.01 (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;
- 6.01 (C) (2) (c) information concerning the distribution of educators assigned to each Performance Evaluation Rating within each public school and school district;
- 6.01 (C) (2) (d) information concerning the correlation of Measures of Student ~~Learning~~Learning Academic Growth used and student performance on statewide summative assessments; and
- 6.01 (C) (2) (e) 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 ~~Learning Academic Growth~~ and the Professional Practice Quality Standards;
- 6.01 (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.
- 6.01 (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.

- 6.01 (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 Performance Evaluation 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 9, title 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 ~~must~~ 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.

## 6.02 Evaluation and Continuous Improvement of the Statewide System to Evaluate the Effectiveness of Licensed Personnel

The Department ~~will~~ use information obtained through monitoring and reporting efforts to identify opportunities for improvement. No later than July 1 of each year the State Board ~~must~~ 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 ~~must~~ 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 ~~must~~ 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, Teacher, and SSP Quality Standards.

- 7.02 As appropriate, the Department ~~will~~ 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 ~~must~~ 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 (D) (6) of these rules.
- 7.05 Districts are strongly encouraged to gather student perceptions to provide principals with feedback on their performance.

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### Editor's Notes

#### History

Entire rule eff. 02/15/2012.

Sections SB&P, 5.04 eff. 05/30/2012.

Sections 0.0, 1.00, 4.00 eff. 01/30/2014.

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