BILLY TOPIC: "Student-Centered Pilot Accountability Systems"
DEADLINES: Finalize by: JAN 11, 2018 File by: JAN 16, 2018

A BILL FOR AN ACT

CONCERNING APPLYING MULTIPLE MEASURES OF STUDENT SUCCESS IN
EVALUATING PERFORMANCE WITHIN THE ELEMENTARY AND
SECONDARY PUBLIC EDUCATION SYSTEM.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

The bill authorizes a school district, board of cooperative services, or charter school (local education provider) or group of local education providers to create local, student-centered pilot accountability systems (pilot accountability system) for measuring the performance of the public school systems operated by the participating local education providers. A
pilot accountability system must be designed to assess student learning, professional culture, and resource allocation within a participating local education provider. The bill describes the minimum requirements for a pilot accountability system proposal, including the manner in which the participating local education providers will determine whether the pilot accountability system is successful. A local education provider that participates in a pilot accountability system must continue to comply with the accountability and accreditation statutes.

A local education provider or group of local education providers may receive a grant to operate the pilot accountability system by submitting the proposal to the department of education (department), agreeing to allow the department to monitor implementation of the pilot accountability system, and agreeing to submit to the department its evaluations of the success of the pilot accountability system. Subject to available appropriations, the participating local education provider or group of local education providers will receive an annual grant so long as they comply with the monitoring and reporting requirements. For each year in which the department distributes a grant, the department must prepare a report of the implementation of the pilot accountability systems; submit it to the governor, the state board of education, and the education committees of the general assembly; and post it on the department website.

The authorization for the pilot accountability system grants repeals in 5 years.

Under existing law, at least 50% of a teacher's or principal's performance evaluation must be based on student growth measures. The bill amends the percentage requirement to at least 20% but not more than 50%. The school district, in collaboration with the licensed educators employed by the school district, will determine the specific percentage.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, add 22-7-1006.7 as follows:

22-7-1006.7. Student-centered pilot accountability systems - grant program - report - legislative declaration - repeal. (1) (a) The general assembly finds that:

(I) The fundamental purpose of the public school accountability system must be to ensure the best possible
EDUCATION FOR EVERY INDIVIDUAL STUDENT AND EVERY ASPECT OF THE ACCOUNTABILITY SYSTEM MUST FOCUS ON IMPROVING EACH STUDENT’S ACADEMIC ACHIEVEMENT;

(II) THE EXISTING ACCOUNTABILITY SYSTEM’S OVER-RELIANCE ON A SMALL NUMBER OF STANDARDIZED, STATEWIDE ASSESSMENTS IS TOO LIMITED TO PROVIDE A COMPLETE, ACCURATE PICTURE OF EACH STUDENT’S LEVEL OF ACADEMIC ACHIEVEMENT; AND

(III) THE EXISTING ACCOUNTABILITY SYSTEM, RATHER THAN FOCUSING ON STUDENT ACHIEVEMENT, IDENTIFYING THE NEEDS OF INDIVIDUAL STUDENTS, AND CLOSING ACHIEVEMENT GAPS AMONG STUDENTS, ACTUALLY FOCUSES ON EVALUATING THE EFFORTS OF LOCAL EDUCATION PROVIDERS IN A MANNER THAT IS MORE LIKELY TO RESULT IN PUNITIVE MEASURES THAN IN CREATING A POSITIVE CULTURE OF CONTINUOUS IMPROVEMENT.

(b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS APPROPRIATE TO PROVIDE GRANTS TO ENCOURAGE LOCAL EDUCATION PROVIDERS TO DESIGN AND PILOT LOCAL, STUDENT-CENTERED ACCOUNTABILITY SYSTEMS THAT FOCUS ON MEASURING AND IMPROVING STUDENT ACADEMIC ACHIEVEMENT BY USING MULTIPLE INPUTS FOR MEASURING STUDENT SUCCESS WHILE ALSO EVALUATING THE QUALITY OF, AND IDENTIFYING WAYS TO IMPROVE, THE SYSTEM SUPPORTS FOR STUDENT SUCCESS.

(2) A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS MAY SUBMIT TO THE DEPARTMENT OF EDUCATION A PROPOSAL FOR PILOTING A LOCAL, STUDENT-CENTERED ACCOUNTABILITY SYSTEM, REFERRED TO IN THIS SECTION AS A "PILOT ACCOUNTABILITY SYSTEM". THE GOAL OF EACH PILOT ACCOUNTABILITY
SYSTEM MUST BE TO FAIRLY AND ACCURATELY EVALUATE STUDENT SUCCESS USING MULTIPLE MEASURES TO DEVELOP A MORE COMPREHENSIVE UNDERSTANDING OF EACH STUDENT'S PROGRESS, TO EVALUATE THE CAPACITY OF THE PUBLIC SCHOOL SYSTEMS OPERATED BY THE LOCAL EDUCATION PROVIDER TO SUPPORT STUDENT SUCCESS, AND TO USE THE RESULTS OBTAINED FROM MEASURING PERFORMANCE TO ESTABLISH A CYCLE OF CONTINUOUS IMPROVEMENT. A PILOT ACCOUNTABILITY SYSTEM MUST BE DESIGNED TO ASSESS:

(a) **STUDENT LEARNING**, TAKING INTO ACCOUNT ACADEMIC ACHIEVEMENT AND GROWTH AS WELL AS STUDENT ATTITUDE AND DISPOSITION. IN EVALUATING STUDENT LEARNING, A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS MAY CHOOSE TO CONSIDER CREATION AND ATTAINMENT OF STUDENT LEARNING OBJECTIVES AND LOCAL ASSESSMENTS.

(b) **THE PROFESSIONAL CULTURE WITHIN THE LOCAL EDUCATION PROVIDER**, WHICH MAY INCLUDE EVALUATIONS OF CURRICULUM AND INSTRUCTION, PROFESSIONAL LEARNING, SCHOOL LEADERSHIP, AND THE LEARNING CLIMATE; AND

(c) **RESOURCE ALLOCATION**, WHICH MAY INCLUDE EVALUATIONS OF THE EXISTENCE AND USE OF FINANCE, FACILITIES, AND COMMUNITY RESOURCES.

(3) A PROPOSAL FOR A PILOT ACCOUNTABILITY SYSTEM, AT A MINIMUM, MUST:

(a) **EXPLAIN THE MEASURES** THAT THE LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS WILL USE TO MEASURE STUDENT LEARNING, THE PROFESSIONAL CULTURE, AND RESOURCE ALLOCATION;
(b) Describe the procedure for reviewing each local education provider's performance, which reviews must occur at least annually and may include on-site reviews by other participating local education providers and the Department of Education;

(c) Describe the expectations for providing feedback and analysis concerning a local education provider's performance, which must include regular communications with the local school board of each participating school district and the governing board of each participating district charter school and institute charter school;

(d) Describe the manner in which each participating local education provider is expected to apply the feedback received to improve performance and student achievement;

(e) Describe the manner in which the feedback and the response to the feedback will be communicated to the parents of students enrolled in the local education provider, the community surrounding the local education provider, the Department of Education, and the State Board; and

(f) Describe the manner in which the participating local education providers will determine whether the pilot accountability system is accurately measuring student success and whether it results in continuous improvement within the public school systems of the participating local education providers.

(4) In creating a pilot accountability system, a local education provider or group of local education providers shall,
AT A MINIMUM, WORK WITH THE EDUCATION PROFESSIONALS EMPLOYED
BY EACH PARTICIPATING LOCAL EDUCATION PROVIDER, INCLUDING THE
COLLECTIVE BARGAINING UNITS, IF ANY, FOR EMPLOYEES OF THE LOCAL
EDUCATION PROVIDERS; THE PARENTS OF STUDENTS ENROLLED IN EACH
PARTICIPATING LOCAL EDUCATION PROVIDER; AND REPRESENTATIVES OF
BUSINESSES IN THE COMMUNITY SURROUNDING EACH PARTICIPATING
LOCAL EDUCATION PROVIDER.

(5) A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL
EDUCATION PROVIDERS THAT CHOOSES TO IMPLEMENT A PILOT
ACCOUNTABILITY SYSTEM MUST CONTINUE TO COMPLY WITH THE
REQUIREMENTS OF THIS PART 10 AND ARTICLE 11 OF THIS TITLE 22 AND
THE RULES IMPLEMENTING THIS PART 10 AND ARTICLE 11 OF THIS TITLE 22
DURING THE TIME THAT IT IMPLEMENTS THE PILOT ACCOUNTABILITY
SYSTEM.

(6) TO OBTAIN A GRANT FOR IMPLEMENTING A PILOT
ACCOUNTABILITY SYSTEM, A LOCAL EDUCATION PROVIDER OR GROUP OF
LOCAL EDUCATION PROVIDERS MUST:

(a) SUBMIT THE PROPOSAL FOR THE PILOT ACCOUNTABILITY
SYSTEM TO THE DEPARTMENT OF EDUCATION IN ACCORDANCE WITH RULES
PROMULGATED BY THE STATE BOARD PURSUANT TO THE "STATE
ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24;

(b) AGREE TO ALLOW THE DEPARTMENT OF EDUCATION TO
MONITOR THE IMPLEMENTATION OF THE PILOT ACCOUNTABILITY SYSTEM,
INCLUDING SUBMITTING DATA TO THE DEPARTMENT UPON REQUEST
CONCERNING THE MEASURES OF STUDENT PERFORMANCE, PROFESSIONAL
CULTURE, AND RESOURCE ALLOCATION AND CONCERNING MEASURES
IMPLEMENTED IN RESPONSE TO FEEDBACK RECEIVED; AND
(c) Agree to submit, at least annually, evaluations of the success of the pilot accountability system, measured as described in subsection (3)(f) of this section.

(7) (a) Subject to available appropriations, the Department of Education shall distribute to each local education provider or group of local education providers that complies with subsection (6) of this section an annual grant of ___ dollars for each local education provider that implements a pilot accountability system on an individual basis or ___ dollars for each group of local education providers that implements a pilot accountability system. In any year in which the General Assembly does not appropriate a sufficient amount to fully fund the grants described in this subsection (7)(a), the Department shall reduce the amount of each grant by the same percentage that the deficit bears to the amount required to fully fund the grants.

(b) Before distributing a grant in a budget year to a local education provider or group of local education providers, the Department of Education shall confirm that the local education provider or group of local education providers is in compliance with the requirements specified in subsection (6) of this section by fully cooperating with the Department in monitoring implementation of the pilot accountability system, and is submitting annual evaluations of the success of the pilot accountability system. The Department shall not distribute a grant to a local education provider or group of local education providers that is not in compliance, as determined by the State
(8) For each year that a local education provider or group of local education providers receives a grant pursuant to this section, the Department of Education, with the assistance of the participating local education providers, shall prepare a summary report of the implementation of the pilot accountability systems, including at a minimum an evaluation of the success of each pilot accountability system in fairly and accurately evaluating student success, evaluating the capacity of the public school systems operated by the participating local education providers to support student success, and establishing a cycle of continuous improvement within the public school systems of each of the participating local education providers. The Department shall provide a copy of the report to the State Board, the Governor's Office, and the Education Committees of the Senate and House of Representatives, or any successor committees. The Department shall also post a copy of the report on its website for public access.

(9) This section is repealed, effective September 1, 2023.

SECTION 2. In Colorado Revised Statutes, 22-9-105.5, amend (2)(c)(I) and (3)(a) as follows:

22-9-105.5. State council for educator effectiveness - legislative declaration - membership - duties - recommendations - rules. (2) (c) The purpose of the council shall be the same as that of the governor's council for educator effectiveness established by executive order, and shall be to consider options and make recommendations to the
state board and the general assembly that seek to ensure that all licensed personnel are:

(I) Evaluated using multiple fair, transparent, timely, rigorous, and valid methods, at least TWENTY PERCENT BUT NOT MORE THAN fifty percent of which evaluation, AS DECIDED BY EACH SCHOOL DISTRICT IN COLLABORATION WITH THE LICENSED EDUCATORS EMPLOYED BY THE SCHOOL DISTRICT, is determined by the academic growth of their students;

(3) The council shall have the following duties:

(a) On or before March 1, 2011, to provide the state board with recommendations that will ensure that every teacher is evaluated using multiple fair, transparent, timely, rigorous, and valid methods. The recommendations developed pursuant to this paragraph (a) shall require that at least TWENTY PERCENT BUT NOT MORE THAN fifty percent of the evaluation, AS DECIDED BY EACH SCHOOL DISTRICT IN COLLABORATION WITH THE LICENSED EDUCATORS EMPLOYED BY THE SCHOOL DISTRICT, is determined by the academic growth of the teacher's students and that each teacher is 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 quality standards for teachers shall include measures of student longitudinal academic growth that are consistent with the measures set forth in section 22-11-204 (2) and may include interim assessment results or evidence of student work, provided that all are rigorous and comparable across classrooms and aligned with state model content standards and performance standards developed pursuant to article 7 of this title. For the purposes of quality standards, expectations of student academic growth shall take into consideration diverse factors,
including but not limited to special education, student mobility, and classrooms with a student population in which ninety-five percent meet the definition of high-risk student as defined in section 22-7-604.5 (1.5).

The quality standards for teachers shall be clear and relevant to the teacher's roles and responsibilities and shall have the goal of improving student academic growth. The council shall include in its recommendations a definition of effectiveness and its relation to quality standards. The definition of effectiveness shall include, but need not be limited to, criteria that will be used to differentiate between performance standards. The defined performance standards shall include, but need not be limited to, "highly effective", "effective", and "ineffective". The council shall consider whether additional performance standards should be established.

SECTION 3. In Colorado Revised Statutes, 22-9-106, amend (1)(e)(II) and (7) introductory portion as follows:

22-9-106. Local boards of education - duties - performance evaluation system - compliance - rules. (1) All school districts and boards of cooperative services that employ licensed personnel, as defined in section 22-9-103 (1.5), shall adopt a written system to evaluate the employment performance of school district and board of cooperative services licensed personnel, including all teachers, principals, and administrators, with the exception of licensed personnel employed by a board of cooperative services for a period of six weeks or less. In developing the licensed personnel performance evaluation system and any amendments thereto, the local board and board of cooperative services shall comply with the provisions of subsection (1.5) of this section and shall consult with administrators, principals, and teachers employed...
within the district or participating districts in a board of cooperative services, parents, and the school district licensed personnel performance evaluation council or the board of cooperative services personnel performance evaluation council created pursuant to section 22-9-107. The performance evaluation system shall address all of the performance standards established by rule of the state board and adopted by the general assembly pursuant to section 22-9-105.5, and shall contain, but need not be limited to, the following information:

(e) (II) The standards set by the local board for effective performance for licensed personnel and the criteria to be used to determine whether the performance of each licensed person meets such standards and other criteria for evaluation for each licensed personnel position evaluated. One of the standards for measuring teacher effectiveness shall be directly related to classroom instruction and shall require that at least TWENTY PERCENT BUT NOT MORE THAN fifty percent of the evaluation, AS DECIDED BY THE SCHOOL DISTRICT IN COLLABORATION WITH THE LICENSED EDUCATORS EMPLOYED BY THE SCHOOL DISTRICT, is determined by the academic growth of the teacher's students. The district accountability committee shall provide input and recommendations concerning the assessment tools used to measure student academic growth as it relates to teacher evaluations. The standards shall include multiple measures of student performance in conjunction with student growth expectations. For the purposes of measuring effectiveness, expectations of student academic growth shall take into consideration diverse factors, including but not limited to special education, student mobility, and classrooms with a student population in which ninety-five percent meet the definition of high-risk student as
The performance evaluation system shall also ensure that the standards and criteria are available in writing to all licensed personnel and are communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation. This subparagraph (II) shall take effect at such time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to section 22-9-105.5 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014, and each July 1 thereafter until statewide implementation occurs.

(7) Every principal shall be evaluated using multiple fair, transparent, timely, rigorous, and valid methods. The recommendations developed pursuant to this subsection (7) shall require that at least TWENTY PERCENT BUT NOT MORE THAN fifty percent of the evaluation, AS DECIDED BY THE SCHOOL DISTRICT IN COLLABORATION WITH THE LICENSED EDUCATORS EMPLOYED BY THE SCHOOL DISTRICT, is determined by the academic growth of the students enrolled in the principal's school. For principals, the quality standards shall include, but need not be limited to:

<Rep. Young - do you prefer a safety clause or an act-subject-to-petition clause?>