

# OFFICE OF LEGISLATIVE LEGAL SERVICES

## COLORADO GENERAL ASSEMBLY



**DIRECTOR**  
Dan L. Cartin

**DEPUTY DIRECTOR**  
Sharon L. Eubanks

**REVISOR OF STATUTES**  
Jennifer G. Gilroy

**ASSISTANT DIRECTORS**  
Deborah F. Haskins    Bart W. Miller  
Julie A. Pelegrin

**SENIOR ATTORNEYS**  
Jeremiah B. Barry    Duane H. Gall  
Christine B. Chase    Jason Gelender  
Gregg W. Fraser    Robert S. Lackner  
Thomas Morris

**SENIOR STAFF ATTORNEYS**  
Charles Brackney    Nicole H. Myers  
Edward A. DeCecco    Jery Payne  
Michael J. Dohr    Jane M. Ritter  
Kristen J. Forrestal    Richard Sweetman  
Esther van Mourik

**SENIOR STAFF ATTORNEY  
FOR ANNOTATIONS**  
Michele D. Brown

**STAFF ATTORNEYS**  
Jennifer A. Berman    Brita Darling  
Kate Meyer

**PUBLICATIONS COORDINATOR**  
Kathy Zambrano

**STATE CAPITOL BUILDING, ROOM 091  
200 EAST COLFAX AVENUE  
DENVER, COLORADO 80203-1782**

**TELEPHONE: 303-866-2045    FACSIMILE: 303-866-4157  
E-MAIL: OLLS.GA@STATE.CO.US**

## SUMMARY OF MEETING

### COMMITTEE ON LEGAL SERVICES

**January 23, 2012**

The Committee on Legal Services met on Monday, January 23, 2012, at 12:16 p.m. in HCR 0112. The following members were present:

Representative B. Gardner, Chair  
Representative Labuda  
Representative Murray  
Representative Waller  
Senator Morse, Vice-chair  
Senator Brophy  
Senator Carroll  
Senator Roberts  
Senator Schwartz

Senator Morse called the meeting to order.

**12:17 p.m.** -- The Committee addressed agenda item 1 - Election of Chair and Vice-chair.

**12:17 p.m.**

Senator Morse nominated Representative Gardner to serve as Chair of the Committee. Senator Roberts seconded the nomination.

Senator Morse moved to appoint Representative Gardner as Chair of the Committee by acclamation. Representative Waller seconded the motion. No objections were raised to that motion and it passed unanimously.

**12:19 p.m.**

Representative Gardner nominated Senator Morse to serve as Vice-chair of the Committee. Senator Carroll seconded the nomination.

Representative Gardner moved to appoint Senator Morse to serve as Vice-chair of the Committee by acclamation. Representative Waller seconded the motion. No objections were raised to that motion and it passed unanimously.

**12:20 p.m.** -- The Committee addressed agenda item 2 - Action as the House Committee of Reference on HB 12-1001 by Representatives Murray and Gardner; also by Senators Johnston and Spence, concerning legislative review of rules of the state board of education to implement the statewide system to evaluate the effectiveness of licensed educators.

Representative Murray said I ask for approval of House Bill 1001. At our last meeting, we discussed this potential bill at length and the underlying rules. I really have nothing to add to that except that we need to keep this moving along in order to meet our February 15 deadline.

Representative Gardner said I would ask for an aye vote on the bill, which includes an extension of the rules.

Senator Carroll said I'm not sure if we want to do an amendment in committee or on the floor to include the house bill number on page 2, line 14, of the bill.

Representative Murray said I do have an amendment ready.

Senator Morse said when we get to the amendment phase we'll do that amendment.

**12:22 p.m.** -- Kerrie Dallman, High School Social Studies Teacher, President of the Jefferson County Education Association, and member of the State Council for Educator Effectiveness, testified before the Committee. She said it has been a privilege to represent educators on the State Council for Educator Effectiveness. As you know, this council convened 15 stakeholders representing multiple viewpoints, including classroom teachers, administrators,

school board members, parents, higher education, community, and students. The recommendations reflect the consensus of the council and our best thinking around principal and teacher evaluation. The recommendations of the council and the subsequent rules passed by the state board of education represent what can only be described as systemic and transformational change in the way school districts across the state will be conducting evaluations of both teachers and principals. Colorado now has operational definitions of what an effective principal and teacher is and should be, and is working on developing a statewide evaluation rubric that is aligned with those definitions. As a member of this council, I've been chiefly concerned that this new statewide evaluation system is one that promotes continuous learning and improvement. The real test as to whether we've created such a system will come from the pilot implementation of the evaluation tools. It is imperative that we learn as much as we can from the pilot districts in order to inform future improvements to this new evaluation system. Successful implementation of this system is wholly dependent on our commitment to the following: That data should inform our decisions but that human judgment will always be an essential component of evaluations; that implementation and assessment of the evaluation system must embody continuous improvement; the purpose of the system is to provide meaningful and credible feedback that improves performance; the development and implementation of the system must continue to involve all stakeholders in a collaborative process; and that educator evaluations must take place within a larger system that is aligned and supportive. It is my belief that the best way to impact teachers' and principals' performance is through continuous observation by highly trained evaluators against standards that provide growth-producing feedback. Already, I have seen districts sitting down and taking a careful look at how they train evaluators to create common understandings of performance against a standard. The hardest work lies ahead of us. As the pilot districts implement the system that has been laid out and the department of education continues to revise the statewide system based upon the information gathered from the districts, I've no doubt that we will learn much from this pilot. What we as teachers want more than anything is to meet the needs of our students. In order to do so, it is important that teachers understand the standards that they are evaluated against, that our evaluators receive high-quality training and support, and that teachers receive actionable feedback. In the end, I think whenever there is an ineffective teacher in the classroom, there's really three victims: The students in the classroom who aren't receiving the kind of education they deserve, the teacher's colleagues who are picking up the slack for that teacher and providing additional support, and the teacher who isn't receiving the kind of growth-producing feedback they need to be the best teacher they can be for the students they serve. I look at the rules as a sort of architectural drawing.

Through the pilot we're going to learn so much and we'll see some changes as a result of the pilot. We'll hear from districts about how well this 22-page teacher evaluation rubric works and we'll make a lot of refinements. I thank the department of education and the state board of education for creating the rules based upon our recommendations and I thank the Committee for its support of those rules.

**12:27 p.m.** -- Amy Spicer, Policy Director, Stand for Children Colorado, testified before the Committee. She said I'm here to testify in support of House Bill 1001 on behalf of my organization, Democrats for Education Reform Colorado, the Colorado Children's Campaign, Colorado Succeeds, the Denver Metro Chamber, and Colorado Concern. These groups have each been involved in the new educator evaluation system since Senate Bill 191 was introduced in 2010. We worked as a coalition to help pass the bill and then together we closely monitored the implementation process. The development of these rules has been a true collaborative process that has included feedback from stakeholders across the state. What you are now reviewing represents countless hours of work from parents, teachers, principals, school districts, department of education staff, school board members, advocacy organizations, association leadership, research organizations, and community members. We are proud of this work and look forward to the implementation of a groundbreaking evaluation system in the years to come. By passing House Bill 1001, you will take us one step further toward creating an evaluation system that will set a high standard for educator effectiveness nationwide. We support this bill and we respectfully ask you to do the same. Every student deserves an effective teacher and principal and this new system will help us make that a reality.

**12:29 p.m.** -- Diana Sirko, Deputy Commissioner, Department of Education, testified before the Committee. She said I want to thank the Committee for its support of the rules when we sat before you a couple weeks ago. I want to reiterate what you heard from both Amy Spicer and Kerrie Dallman that this legislation has the potential to make more difference than any other single piece has, I believe, because it brings together so many factions and builds on those excellent pieces that we know contribute to a high-quality education for all students. We would appreciate your support of this and want you to know that the long process we went through that was articulated for you by the two previous speakers really underscores how important this legislation is and how much it can make a difference. It truly is one of those rare times when everybody is aligned around a common purpose on behalf of our children.

Representative Labuda said when you first presented the rules, some of us had

questions about definitions and timeframes. I hope that you've taken those to heart and those will be in an addendum or something for clarification for any lay people who might try to understand the rules. Am I correct in assuming you've taken some action to do something along those lines? Ms. Sirko said most definitely. What we're trying to do is that in any of our instructional manuals and all of our training, we're incorporating those issues that were articulated and making sure that any person who picks this up can say they know what that means, that it's not just educationese but is understandable to the general public. We're also updating our web site to include those pieces.

Senator Morse said we're to the amendment phase.

**12:32 p.m.**

Representative Murray moved L.001. Representative Gardner seconded the motion. Representative Murray said L.001 is a technical amendment that fills in the bill number. No objections were raised to that motion and it passed unanimously.

Representative Murray said it is good to see so many people coming together for the benefit of our children. I'd like to thank all of you who have done such good work for such a long time. Special recognition to Senator Johnston who has suffered slings and arrows along the way. I think the children have prevailed in this instance. One more thank you to everyone who continues to participate, and we have several years to go yet.

**12:34 p.m.**

Representative Murray moved House Bill 12-1001 to the committee of the whole as amended. Representative Gardner seconded the motion. Representative Labuda said I too want to thank all of you who've worked hard on this. I represent House district 1, which is mainly Denver, and I have high schools, elementary schools, and middle schools in my district. Those principals and teachers I've talked with are really looking forward to these rules and they appreciate very much the work you've done. The motion passed on a 9-0 vote, with Senator Brophy, Senator Carroll, Senator Morse, Senator Roberts, Senator Schwartz, Representative Gardner, Representative Labuda, Representative Murray, Representative Waller voting yes.

**12:35 p.m.** -- Debbie Haskins, Assistant Director, Office of Legislative Legal Services, addressed agenda item 3 - Committee Schedule during 2012 Session.

Ms. Haskins said I want to remind the Committee that we do need to sit as the House committee of reference to hear the rule review bill and the deadline to pass that out of committee is February 23. We will need to contact you again about a meeting time fairly soon. I don't know if the bill we just passed will be referred to this Committee again on the Senate side, but we might have to meet again for that. Stay tuned.

**12:37 p.m.**

The Committee adjourned.