

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0449.01 Jane Ritter x4342

HOUSE BILL 16-1121

HOUSE SPONSORSHIP

Arndt, Young

SENATE SPONSORSHIP

Merrifield and Todd,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING EXEMPTING NATIONAL BOARD CERTIFIED TEACHERS
102 FROM ANNUAL REQUIREMENTS OF THE LICENSED PERSONNEL
103 EVALUATION SYSTEM FOR A PERIOD NOT TO EXCEED THREE
104 YEARS.

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://www.leg.state.co.us/billsummaries>.)

The bill allows a local board of education or board of cooperative services that adopts its own local licensed personnel evaluation system to exempt national board certified teachers from the annual requirements of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

such system for a period not to exceed 3 years. If a local board of education or board of cooperative services decides to provide such an exemption, the teacher must retain the rating he or she received on his or her most recent evaluation for the 3-year exemption period. A teacher who has been exempt from evaluations pursuant to this bill may request a new evaluation prior to the end of the 3-year exemption period. The rating from such a new evaluation will become the teacher's new performance evaluation rating.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-9-103, **add** (2.3)
3 as follows:

4 **22-9-103. Definitions.** As used in this article, unless the context
5 otherwise requires:

6 (2.3) "NATIONAL BOARD CERTIFIED TEACHER" MEANS A TEACHER
7 WHO IS EMPLOYED BY A SCHOOL DISTRICT, A PROGRAM OPERATED BY A
8 BOARD OF COOPERATIVE SERVICES, A CHARTER SCHOOL AUTHORIZED BY
9 A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE,
10 OR A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL
11 INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE, AND WHO
12 HOLDS A CERTIFICATION FROM THE NATIONAL BOARD FOR PROFESSIONAL
13 TEACHING STANDARDS.

14 **SECTION 2.** In Colorado Revised Statutes, 22-9-106, **amend** (1)
15 introductory portion; and **add** (1.5) (a.5) as follows:

16 **22-9-106. Local boards of education - duties - performance**
17 **evaluation system - compliance - rules.** (1) All school districts and
18 boards of cooperative services that employ licensed personnel, as defined
19 in section 22-9-103 (1.5), shall adopt a written system to evaluate the
20 employment performance of school district and board of cooperative
21 services licensed personnel, including all teachers, principals, and

1 administrators, with the exception of licensed personnel employed by a
2 board of cooperative services for a period of six weeks or less. A LOCAL
3 BOARD OR BOARD OF COOPERATIVE SERVICES MAY, AT ITS DISCRETION,
4 EXEMPT NATIONAL BOARD CERTIFIED TEACHERS FROM THE ANNUAL
5 REQUIREMENTS OF ITS PERFORMANCE EVALUATION SYSTEM FOR A PERIOD
6 NOT TO EXCEED THREE YEARS. IF A LOCAL BOARD OR BOARD OF
7 COOPERATIVE SERVICES DECIDES TO PROVIDE SUCH AN EXEMPTION, THE
8 TEACHER MUST RETAIN THE RATING HE OR SHE RECEIVED ON HIS OR HER
9 MOST RECENT EVALUATION FOR THE THREE-YEAR EXEMPTION PERIOD. THE
10 TEACHER MAY REQUEST A NEW PERFORMANCE EVALUATION PRIOR TO THE
11 END OF THE THREE-YEAR EXEMPTION PERIOD. IF A TEACHER REQUESTS A
12 NEW PERFORMANCE EVALUATION PRIOR TO THE END OF THE THREE-YEAR
13 EXEMPTION PERIOD, THE RESULTING PERFORMANCE EVALUATION RATING
14 BECOMES THE TEACHER'S NEW ESTABLISHED RATING. In developing the
15 licensed personnel performance evaluation system and any amendments
16 thereto, the local board and board of cooperative services shall comply
17 with the provisions of subsection (1.5) of this section and shall consult
18 with administrators, principals, and teachers employed within the district
19 or participating districts in a board of cooperative services, parents, and
20 the school district licensed personnel performance evaluation council or
21 the board of cooperative services personnel performance evaluation
22 council created pursuant to section 22-9-107. The performance evaluation
23 system shall address all of the performance standards established by rule
24 of the state board and adopted by the general assembly pursuant to section
25 22-9-105.5, and shall contain, but need not be limited to, the following
26 information:

27 (1.5) (a.5) A LOCAL BOARD OR BOARD OF COOPERATIVE SERVICES

1 THAT DEVELOPS ITS OWN LOCAL LICENSED PERSONNEL EVALUATION
2 SYSTEM PURSUANT TO THIS SUBSECTION (1.5) MAY EXEMPT NATIONAL
3 BOARD CERTIFIED TEACHERS FROM THE ANNUAL REQUIREMENTS OF SUCH
4 EVALUATION SYSTEM FOR A PERIOD NOT TO EXCEED THREE YEARS. IF A
5 LOCAL BOARD OR BOARD OF COOPERATIVE SERVICES DECIDES TO PROVIDE
6 SUCH AN EXEMPTION, THE TEACHER MUST RETAIN THE RATING HE OR SHE
7 RECEIVED ON HIS OR HER MOST RECENT EVALUATION FOR THE THREE-
8 YEAR EXEMPTION PERIOD. THE TEACHER MAY REQUEST A NEW
9 PERFORMANCE EVALUATION PRIOR TO THE END OF THE THREE-YEAR
10 EXEMPTION PERIOD. IF A TEACHER REQUESTS A NEW PERFORMANCE
11 EVALUATION PRIOR TO THE END OF THE THREE-YEAR EXEMPTION PERIOD,
12 THE RESULTING PERFORMANCE EVALUATION RATING BECOMES THE
13 TEACHER'S NEW ESTABLISHED RATING.

14 **SECTION 3. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.