

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 22-0247.01 Julie Pelegrin x2700

SENATE BILL 22-070

SENATE SPONSORSHIP

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McLachlan and McCluskie,

Senate Committees

Education
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A BILL FOR AN ACT

101 **CONCERNING LICENSED PERSONNEL PERFORMANCE EVALUATIONS IN**
102 **PUBLIC SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

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 specifies the duties of the department of education (department) related to licensed personnel performance evaluation systems, including the following duties, which the department must comply with by the beginning of the 2023-24 school year:

- Creating a modified rubric for evaluating personnel who

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

HOUSE
2nd Reading Unamended
May 5, 2022

SENATE
Amended 3rd Reading
May 3, 2022

SENATE
Amended 2nd Reading
May 2, 2022

- are consistently rated highly effective;
- Creating specialized rubrics for particular teacher or principal roles;
- Providing free evaluator training for school districts and boards of cooperative services (BOCES);
- Providing guidelines for incorporating a licensed person's professional growth achievements into the evaluation; and
- Providing best practices in methods of conducting evaluations.

The bill directs the state board of education (state board) to adopt rules as necessary to ensure that, beginning with evaluations completed in the 2023-24 school year:

- 30% of a teacher's or principal's evaluation is based on the academic growth of students, and the remainder is based on the teacher's or principal's attainment of quality standards;
- Up to 10% of a licensed person's evaluation may be based on collective measures for a particular grade level or for an entire school, but the evaluation must not include collective measures for students who are not enrolled in the school at which the licensed person is employed; and
- If a licensed person has been employed by a school district or BOCES for one year or less, the person's evaluation must not include collective measures and must not be based on statewide assessment scores.

The bill encourages school districts and BOCES to experiment with innovative methods of conducting observations to use in licensed personnel evaluations. Under the bill, a school district or BOCES must complete the licensed personnel evaluations within the school year for which the person is evaluated and report the performance ratings, in aggregate, to the department by June 30 of each school year. The bill encourages school districts and BOCES to train multiple persons to serve as evaluators so that a licensed person may request an alternative evaluator.

For performance evaluations completed for the 2021-22 and 2022-23 school years, the bill prohibits the use of measures of student academic growth derived from the Colorado growth model and measures of student academic growth or performance based on a school district's, board of cooperative service's, or school's performance plan type.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-9-103, **amend** the
 3 introductory portion and (1.5) as follows:

1 **22-9-103. Definitions.** As used in this ~~article~~ ARTICLE 9, unless
2 the context otherwise requires:

3 (1.5) "Licensed personnel" OR "LICENSED PERSON" means ~~any~~
4 ~~persons~~ A PERSON WHO IS employed to instruct students, TO PROVIDE
5 PROFESSIONAL SERVICES TO STUDENTS IN DIRECT SUPPORT OF THE
6 EDUCATION INSTRUCTIONAL PROGRAM, or to administer, direct, or
7 supervise the instructional program in a school in the state AND who ~~hold~~
8 HOLDS a valid license or authorization pursuant to ~~the provisions of article~~
9 60.5 of this ~~title~~ TITLE 22.

10 **SECTION 2.** In Colorado Revised Statutes, **amend** 22-9-104 as
11 follows:

12 **22-9-104. State model licensed personnel performance**
13 **evaluation system - department - state board - powers and duties -**
14 **rules.** (1) The state board shall promulgate guidelines relating to the
15 planning, development, implementation, and assessment of a STATE
16 MODEL licensed personnel performance evaluation system that may be
17 ~~followed~~ ADOPTED by each school district and board of cooperative
18 services within the state. In promulgating said guidelines, the state board
19 shall allow each school district and board of cooperative services to
20 involve and consult with the licensed personnel and citizens of the school
21 district or districts. Each school district and board of cooperative services
22 ~~shall have~~ HAS the flexibility needed to develop a system of personnel
23 performance evaluation that is specifically designed to meet the
24 individual needs of that school district ~~and~~ OR board of cooperative
25 services.

26 (1.5) TO ASSIST SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE
27 SERVICES IN IMPLEMENTING THE STATE MODEL LICENSED PERSONNEL

1 PERFORMANCE EVALUATION SYSTEM AND IN DEVELOPING AND
2 IMPLEMENTING LOCAL SYSTEMS OF PERSONNEL PERFORMANCE
3 EVALUATION, BY THE BEGINNING OF THE 2023-24 SCHOOL YEAR, THE
4 DEPARTMENT SHALL:

5 (a) CREATE A MODIFIED RUBRIC SPECIFICALLY FOR MEASURING
6 THE PERFORMANCE OF A LICENSED PERSON WHO HAS RECEIVED A RATING
7 OF HIGHLY EFFECTIVE FOR AT LEAST THREE CONSECUTIVE SCHOOL YEARS
8 AND PROVIDE GUIDELINES FOR FOCUSING ON PROFESSIONAL GROWTH AND
9 CAREER DEVELOPMENT IN EVALUATING LICENSED PERSONNEL WHO ARE
10 CONSISTENTLY RATED HIGHLY EFFECTIVE;

11 (b) WORK WITH SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE
12 SERVICES TO CREATE AND MAKE PUBLICLY AVAILABLE RUBRICS FOR
13 MEASURING THE PERFORMANCE OF LICENSED PERSONNEL IN A LIMITED
14 NUMBER OF SPECIALIZED TEACHER OR PRINCIPAL ROLES;

15 (c) PROVIDE EVALUATOR TRAINING AT NO COST TO SCHOOL
16 DISTRICTS AND BOARDS OF COOPERATIVE SERVICES TO ENSURE THAT ALL
17 EVALUATORS HAVE THE SKILLS NECESSARY TO OBSERVE AND EVALUATE
18 LICENSED PERSONNEL WITH FIDELITY TO THE LICENSED PERSONNEL
19 PERFORMANCE EVALUATION SYSTEM IMPLEMENTED BY THE EVALUATOR'S
20 SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES;

21 (d) PROVIDE GUIDELINES FOR CONSIDERING A LICENSED PERSON'S
22 PROFESSIONAL GROWTH ACHIEVEMENTS, SUCH AS ATTAINMENT OF
23 NATIONAL BOARD CERTIFICATION OR FULFILLMENT OF DIFFERENTIATED
24 PROFESSIONAL ROLES, AS PROOF THAT THE LICENSED PERSON MEETS ONE
25 OR MORE OF THE QUALITY STANDARDS, IN LIEU OF SOME OR ALL OF THE
26 ELEMENTS THAT DEMONSTRATE ATTAINMENT OF THE QUALITY
27 STANDARDS; AND

1 (e) PROVIDE INFORMATION CONCERNING BEST PRACTICES IN
2 METHODS OF CONDUCTING LICENSED PERSONNEL EVALUATIONS,
3 INCLUDING INNOVATIVE METHODS FOR OBSERVATION.

4 (2) The state board shall:

5 (a) Provide training and leadership and give technical assistance
6 to school districts and boards of cooperative services in the development
7 of a licensed personnel performance evaluation system;

8 (b) Work and cooperate with the state's universities and colleges
9 that have teacher, principal, or administrator education programs to ~~assure~~
10 ENSURE that principals and administrators ~~having~~ WHO HAVE evaluation
11 responsibilities will receive adequate education and training that meets
12 the requirements specified in section 22-9-108 and will enable them to
13 make thorough, credible, fair, and professional quality evaluations of all
14 licensed personnel whom those principals or administrators may be
15 responsible for evaluating;

16 ~~(c) Pursuant to section 22-9-105.5, work with the council to~~
17 Promulgate rules concerning the planning, development, implementation,
18 and assessment of ~~a~~ THE STATE MODEL LICENSED PERSONNEL
19 PERFORMANCE EVALUATION system to evaluate the effectiveness of
20 licensed personnel;

21 (d) Repealed.

22 (e) (Deleted by amendment, L. 2009, (SB 09-163), ch. 293, p.
23 1532, § 17, effective May 21, 2009.)

24 ~~(f) (f) On or before September 1, 2011, the state board, Pursuant~~
25 to the "State Administrative Procedure Act", article 4 of title 24, ~~C.R.S.,~~
26 ~~shall~~ promulgate rules with regard to the issues specified in ~~section~~
27 ~~22-9-105.5 (10) using the recommendations from the council. If the~~

1 council fails to make recommendations to the state board by March 1,
2 2011, with regard to one or more of the issues specified in section
3 22-9-105.5 (10), the state board, on or before September 1, 2011, shall
4 promulgate rules concerning any issues in section 22-9-105.5 (10) that the
5 council did not address. In promulgating rules pursuant to this paragraph
6 (f), the state board shall conform to the timeline set forth in section
7 22-9-105.5 SECTION 22-9-105.5 (3)(a) TO (3)(h).

8 (H) On or before February 15, 2012, the general assembly shall
9 review the rules promulgated pursuant to subparagraph (I) of this
10 paragraph (f), in a bill that is separate from the annual rule review bill
11 introduced pursuant to section 24-4-103 (8)(d), C.R.S., and in accordance
12 with the criteria and procedures specified in section 24-4-103 (8)(a) and
13 (8)(d), C.R.S.; except that the general assembly reserves the right to
14 repeal individual rules in the rules promulgated by the state board. If one
15 or more rules are not approved by the general assembly pursuant to this
16 subparagraph (H), the state board shall promulgate emergency rules
17 pursuant to section 24-4-103 (6), C.R.S., on such issue or issues and
18 resubmit to the general assembly on or before May 1, 2012. The general
19 assembly shall review the emergency rules promulgated according to the
20 process outlined in this subparagraph (H).

21 (3) FOR EVALUATIONS COMPLETED FOR THE 2023-24 SCHOOL YEAR
22 AND EACH SCHOOL YEAR THEREAFTER, THE STATE BOARD SHALL
23 PROMULGATE RULES AS NECESSARY TO ENSURE THAT, UNDER THE STATE
24 MODEL LICENSED PERSONNEL PERFORMANCE EVALUATION SYSTEM AND A
25 LOCAL SYSTEM OF PERSONNEL PERFORMANCE EVALUATION:

26 (a) THIRTY PERCENT OF A TEACHER'S OR PRINCIPAL'S EVALUATION
27 IS DETERMINED BY THE ACADEMIC GROWTH OF THE TEACHER'S STUDENTS

1 OR THE STUDENTS ENROLLED IN THE PRINCIPAL'S SCHOOL, AS APPLICABLE,
2 AND THE REMAINDER IS BASED ON THE TEACHER'S OR PRINCIPAL'S
3 ATTAINMENT OF THE QUALITY STANDARDS;

4 (b) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3)(c) OF
5 THIS SECTION, OF THE THIRTY PERCENT OF A TEACHER'S OR PRINCIPAL'S
6 EVALUATION THAT IS BASED ON STUDENT ACADEMIC GROWTH, UP TO TEN
7 PERCENT MAY BE BASED ON MEASURES OF COLLECTIVE STUDENT
8 ACADEMIC GROWTH THAT ARE BASED ON THE PERFORMANCE OF ALL
9 STUDENTS ENROLLED AT A PARTICULAR GRADE LEVEL WITHIN THE SCHOOL
10 IN WHICH THE TEACHER OR PRINCIPAL IS EMPLOYED OR THE PERFORMANCE
11 OF ALL STUDENTS ENROLLED IN THE SCHOOL IN WHICH THE TEACHER OR
12 PRINCIPAL IS EMPLOYED, BUT A TEACHER'S OR PRINCIPAL'S EVALUATION
13 MUST NOT INCLUDE MEASURES OF COLLECTIVE STUDENT ACADEMIC
14 GROWTH THAT ARE BASED ON THE PERFORMANCE OF STUDENTS WHO ARE
15 NOT ENROLLED IN THE SCHOOL IN WHICH THE TEACHER OR PRINCIPAL IS
16 EMPLOYED; AND

17 (c) THE EVALUATION OF A LICENSED PERSON WHO HAS BEEN
18 EMPLOYED BY A SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES
19 FOR ONE SCHOOL YEAR OR LESS MUST NOT INCLUDE DATA THAT WAS
20 CREATED PRIOR TO THE DATE ON WHICH THE LICENSED PERSON
21 COMMENCED EMPLOYMENT WITH THE SCHOOL DISTRICT OR BOARD OF
22 COOPERATIVE SERVICES.

23 **SECTION 3.** In Colorado Revised Statutes, 22-9-106, **amend** (1)
24 introductory portion, (1)(c) introductory portion, (1)(c)(II), (1)(d)
25 introductory portion, (1)(d)(V)(B), (1)(e)(II), (1)(f), (1.5)(a), (2.5)(b)(I),
26 (3), (4), and (7) introductory portion; **repeal** (3.5)(b)(III); and **add**
27 (1)(e)(III) and (1)(e)(IV) as follows:

1 **22-9-106. Local boards of education - duties - performance**

2 **evaluation system - compliance - rules - repeal.** (1) All school districts

3 and boards of cooperative services that employ licensed personnel ~~as~~

4 ~~defined in section 22-9-103 (1.5)~~, shall adopt a written system to evaluate

5 the employment performance of school district and board of cooperative

6 services licensed personnel, including all teachers, principals, and

7 administrators, with the exception of licensed personnel employed by a

8 board of cooperative services for a period of six weeks or less. In

9 developing the licensed personnel performance evaluation system and any

10 amendments thereto, the local board and board of cooperative services

11 shall comply with ~~the provisions of~~ subsection (1.5) of this section and

12 shall consult with administrators, principals, and teachers employed

13 within the district or participating districts in a board of cooperative

14 services, parents, and the school district licensed personnel performance

15 evaluation council or the board of cooperative services personnel

16 performance evaluation council created pursuant to section 22-9-107. The

17 performance evaluation system ~~shall~~ MUST address all of the performance

18 standards established by rule of the state board and adopted by the general

19 assembly pursuant to section 22-9-105.5, and ~~shall~~ MUST contain, but

20 need not be limited to, the following information:

21 (c) The frequency and duration of the evaluations, which ~~shall~~

22 MUST be on a regular basis and of such frequency and duration as to

23 ensure the collection of a sufficient amount of data from which reliable

24 conclusions and findings may be drawn. At a minimum, the performance

25 evaluation system ~~shall~~ MUST ensure that:

26 (II) Nonprobationary teachers receive at least one observation

27 each ACADEMIC year and one evaluation that results in a written

1 evaluation report pursuant to subsection (3) of this section every three
2 years; ~~except that, beginning with the 2012-13 academic year,~~
3 ~~nonprobationary teachers shall receive a written evaluation report~~
4 ~~pursuant to subsection (3) of this section~~ each academic year according
5 to the performance standards established by rule of the state board and
6 adopted by the general assembly pursuant to section 22-9-105.5.
7 Nonprobationary teachers ~~shall~~ MUST receive the written evaluation report
8 at least two weeks before the last class day of the school year.

9 (d) The purposes of the evaluation, which ~~shall~~ MUST include but
10 need not be limited to:

11 (V) (B) Measuring the level of effectiveness of all licensed
12 personnel within the school district. ~~This sub-subparagraph (B) shall take~~
13 ~~effect at such time as the performance evaluation system based on quality~~
14 ~~standards established pursuant to this section and the rules promulgated~~
15 ~~by the state board pursuant to section 22-9-105.5 has completed the initial~~
16 ~~phase of implementation and has been implemented statewide. The~~
17 ~~commissioner shall provide notice of such implementation to the revisor~~
18 ~~of statutes on or before July 1, 2014, and each July 1 thereafter until~~
19 ~~statewide implementation occurs.~~

20 (e) (II) The standards set by the local board for effective
21 performance for licensed personnel and the criteria to be used to
22 determine whether the performance of each licensed person meets ~~such~~
23 THE standards and other criteria for evaluation for each licensed personnel
24 position evaluated. One of the standards for measuring teacher
25 effectiveness ~~shall~~ MUST be directly related to classroom instruction and
26 ~~shall~~ MUST require that ~~at least fifty~~ THIRTY percent of the evaluation is
27 determined by the academic growth of the teacher's students. THE

1 REMAINDER OF THE EVALUATION MUST BE BASED ON ATTAINMENT OF THE
2 QUALITY STANDARDS. The district accountability committee shall provide
3 input and recommendations concerning the assessment tools used to
4 measure student academic growth as it relates to teacher evaluations. The
5 standards ~~shall~~ MUST include multiple measures of student performance
6 in conjunction with student growth expectations. For the purposes of
7 measuring effectiveness, expectations of student academic growth ~~shall~~
8 MUST take into consideration diverse factors, including but not limited to
9 special education, student mobility, and classrooms with a student
10 population in which ninety-five percent meet the definition of high-risk
11 student as defined in section 22-7-604.5 (1.5). The performance
12 evaluation system ~~shall~~ MUST also ensure that the standards and criteria
13 are available in writing to all licensed personnel and are communicated
14 and discussed by the person being evaluated and the evaluator prior to
15 and during the course of the evaluation. ~~This subparagraph (H) shall take
16 effect at such time as the performance evaluation system based on quality
17 standards established pursuant to this section and the rules promulgated
18 by the state board pursuant to section 22-9-105.5 has completed the initial
19 phase of implementation and has been implemented statewide. The
20 commissioner shall provide notice of such implementation to the revisor
21 of statutes on or before July 1, 2014, and each July 1 thereafter until
22 statewide implementation occurs.~~

23 (III) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(e)(IV)
24 OF THIS SECTION, FOR PERFORMANCE EVALUATIONS COMPLETED FOR THE
25 2023-24 SCHOOL YEAR AND SCHOOL YEARS THEREAFTER, OF THE THIRTY
26 PERCENT OF A TEACHER'S EVALUATION THAT IS BASED ON STUDENT
27 ACADEMIC GROWTH, UP TO TEN PERCENT MAY BE BASED ON MEASURES OF

1 COLLECTIVE STUDENT ACADEMIC GROWTH THAT ARE BASED ON THE
2 PERFORMANCE OF ALL STUDENTS ENROLLED AT A PARTICULAR GRADE
3 LEVEL WITHIN THE SCHOOL IN WHICH THE TEACHER IS EMPLOYED OR THE
4 PERFORMANCE OF ALL STUDENTS ENROLLED IN THE SCHOOL IN WHICH THE
5 TEACHER IS EMPLOYED, BUT A TEACHER'S EVALUATION MUST NOT
6 INCLUDE MEASURES OF COLLECTIVE STUDENT ACADEMIC GROWTH THAT
7 ARE BASED ON THE PERFORMANCE OF STUDENTS WHO ARE NOT ENROLLED
8 IN THE SCHOOL IN WHICH THE TEACHER IS EMPLOYED.

9 (IV) FOR PERFORMANCE EVALUATIONS COMPLETED FOR THE
10 2023-24 SCHOOL YEAR AND SCHOOL YEARS THEREAFTER, THE
11 EVALUATION OF A LICENSED PERSON WHO HAS BEEN EMPLOYED BY A
12 SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES FOR ONE SCHOOL
13 YEAR OR LESS MUST NOT INCLUDE DATA THAT WAS CREATED PRIOR TO THE
14 DATE ON WHICH THE LICENSED PERSON COMMENCED EMPLOYMENT WITH
15 THE SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES.

16 (f) The methods of evaluation, which ~~shall~~ MUST include, but ~~shall~~
17 ~~not be~~ ARE NOT limited to, direct observations by the evaluator and a
18 process of systematic data-gathering. SCHOOL DISTRICTS AND BOARDS OF
19 COOPERATIVE SERVICES ARE ENCOURAGED TO EXPERIMENT, WITH THE
20 AGREEMENT OF THEIR SCHOOL DISTRICT PERSONNEL PERFORMANCE
21 EVALUATION COUNCILS, WITH INNOVATIVE METHODS OF OBSERVATION,
22 WHICH MAY INCLUDE OBSERVATIONS BY MENTORS OR TEACHING COACHES,
23 PEERS, DEPARTMENT LEADERS, AND VIDEO OR DIGITAL RECORDING; AND
24 A PEER ASSISTANCE AND REVIEW MODEL THAT ALLOWS LICENSED
25 PERSONNEL TO BE EVALUATED BY PEERS WHO ARE LICENSED IN THE SAME
26 FIELD AS THE LICENSED PERSON BEING EVALUATED AND, IF FEASIBLE,
27 HAVE MORE THAN ONE YEAR OF EXPERIENCE.

1 (1.5) (a) A local board or board of cooperative services may adopt
2 the state model LICENSED PERSONNEL performance evaluation system
3 established by the rules promulgated by the state board pursuant to
4 section 22-9-105.5 or may develop its own local licensed personnel
5 evaluation system that complies with the requirements established
6 pursuant to this section and the rules promulgated by the state board. If
7 a school district or board of cooperative services develops its own local
8 licensed personnel evaluation system, the local board or board of
9 cooperative services or any interested party may submit to the department,
10 or the department may solicit and collect, data related to said personnel
11 evaluation system for review by the department.

12 (2.5) (b) (I) The council shall actively participate with the local
13 board in developing written standards for evaluation that clearly specify
14 performance standards and the quality standards and the criteria to be
15 used to determine whether the performance of each licensed person meets
16 such standards pursuant to ~~paragraph (c) of subsection (1)~~ SUBSECTION
17 (1)(e) of this section. ~~Except as provided in subparagraph (H) of this~~
18 ~~paragraph (b), this paragraph (b) takes effect at such time as the~~
19 ~~performance evaluation system based on quality standards established~~
20 ~~pursuant to this section and the rules promulgated by the state board~~
21 ~~pursuant to section 22-9-105.5 has completed the initial phase of~~
22 ~~implementation and has been implemented statewide. The commissioner~~
23 ~~shall provide notice of such implementation to the revisor of statutes on~~
24 ~~or before July 1, 2014, and each July 1 thereafter until statewide~~
25 ~~implementation occurs.~~

26 (3) (a) An evaluation report shall be issued upon the completion
27 of an evaluation made pursuant to this section and ~~shall~~ MUST:

- 1 (a) (I) Be in writing;
- 2 (b) (II) Contain a written improvement plan that ~~shall be~~ IS
3 specific as to what improvements, if any, are needed in the performance
4 of the licensed personnel and ~~shall clearly set~~ CLEARLY SETS forth
5 recommendations for improvements, including recommendations for
6 additional education and training during the ~~teacher's or the principal's~~
7 LICENSED PERSON'S license renewal process;
- 8 (c) (III) Be specific as to the strengths and weaknesses in the
9 performance of the individual being evaluated;
- 10 (d) (IV) Specifically identify when a direct observation was made;
- 11 (e) (V) Identify data sources;
- 12 (f) (VI) Be discussed and be signed by the evaluator and the
13 person being evaluated, each to receive a copy of the report. The
14 signature on the report of any person ~~shall not be construed to~~ DOES NOT
15 indicate agreement with the information contained in the report. If the
16 person being evaluated disagrees with any of the conclusions or
17 recommendations made in the evaluation report, the person may attach
18 any written explanation or other relevant documentation that the person
19 deems necessary.
- 20 (g) (VII) Be reviewed by a supervisor of the evaluator, whose
21 signature ~~shall~~ MUST also appear on said report.
- 22 (b) A SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES
23 SHALL COMPLETE THE WRITTEN EVALUATIONS FOR ALL LICENSED
24 PERSONNEL EMPLOYED BY THE SCHOOL DISTRICT OR BOARD OF
25 COOPERATIVE SERVICES AND SHALL REPORT THE FINAL PERFORMANCE
26 RATINGS FOR ALL LICENSED PERSONNEL WHO WERE EVALUATED TO THE
27 DEPARTMENT NO LATER THAN OCTOBER 15 OF THE SCHOOL YEAR

1 FOLLOWING THE SCHOOL YEAR FOR WHICH THE EVALUATIONS ARE
2 COMPLETED.

3 (3.5) (b) (III) ~~This paragraph (b) shall take effect at such time as~~
4 ~~the performance evaluation system based on quality standards established~~
5 ~~pursuant to this section and the rules promulgated by the state board~~
6 ~~pursuant to section 22-9-105.5 has completed the initial phase of~~
7 ~~implementation and has been implemented statewide. The commissioner~~
8 ~~shall provide notice of such implementation to the revisor of statutes on~~
9 ~~or before July 1, 2014, and each July 1 thereafter until statewide~~
10 ~~implementation occurs.~~

11 (4) (a) Except as provided in ~~paragraph (b) of this subsection (4);~~
12 ~~no person shall~~ SUBSECTION (4)(b) OF THIS SECTION, A PERSON SHALL NOT
13 be responsible for the evaluation of licensed personnel unless the person
14 has a principal or administrator license issued pursuant to article 60.5 of
15 this ~~title~~ TITLE 22, or is a designee of a person with a principal or
16 administrator license, and has received education and training in
17 evaluation skills ~~PROVIDED OR approved by the department of education~~
18 that will enable ~~him or her~~ THE PERSON to make fair, professional, and
19 credible evaluations of the personnel whom ~~he or she~~ THE PERSON is
20 responsible for evaluating. ~~No person shall~~ PURSUANT TO SECTION
21 22-9-104(1.5), THE DEPARTMENT SHALL MAKE AVAILABLE AT NO COST TO
22 EACH SCHOOL DISTRICT AND BOARD OF COOPERATIVE SERVICES TRAINING
23 FOR PERSONS WHO ARE RESPONSIBLE FOR EVALUATING LICENSED
24 PERSONNEL. A PERSON SHALL NOT be issued a principal or administrator
25 license or have a principal or administrator license renewed unless the
26 state board determines that ~~such~~ THE person has received education and
27 training ~~PROVIDED OR approved by the department. of education.~~

1 (b) A local board of education ~~shall have the authority~~ IS
2 AUTHORIZED to evaluate the performance of the superintendent of the
3 school district. The responsibility for conducting the performance
4 evaluation of the superintendent ~~shall rest~~ RESTS exclusively with the
5 local board of education.

6 (c) EACH SCHOOL DISTRICT AND BOARD OF COOPERATIVE SERVICES
7 IS ENCOURAGED TO PROVIDE TRAINING TO MULTIPLE PERSONS TO SERVE
8 AS EVALUATORS TO ENABLE A LICENSED PERSON BEING EVALUATED TO
9 REQUEST AN ALTERNATIVE EVALUATOR.

10 (7) Every principal ~~shall~~ MUST be evaluated using multiple fair,
11 transparent, timely, rigorous, and valid methods. The recommendations
12 developed pursuant to this subsection (7) ~~shall~~ MUST require that ~~at least~~
13 ~~fifty~~ THIRTY percent of the evaluation is determined by the academic
14 growth of the students enrolled in the principal's school, AND THE
15 REMAINDER OF THE EVALUATION IS BASED ON THE PRINCIPAL'S
16 ATTAINMENT OF THE QUALITY STANDARDS. For principals, the quality
17 standards ~~shall~~ MUST include, but need not be limited to:

18 ==
19 **SECTION 4. Appropriation.** (1) For the 2022-23 state fiscal
20 year, \$452,973 is appropriated to the department of education. This
21 appropriation is from the general fund. To implement this act, the
22 department may use this appropriation as follows:

23 (a) \$343,059 for educator effectiveness unit administration;

24 (b) \$90,200 for information technology services; and

25 (c) \$19,714 for legal services.

26 (2) For the 2022-23 state fiscal year, \$19,714 is appropriated to
27 the department of law. This appropriation is from reappropriated funds

1 received from the department of education under subsection (1)(c) of this
2 section and is based on an assumption that the department of law will
3 require an additional 0.1 FTE. To implement this act, the department of
4 law may use this appropriation to provide legal services for the
5 department of education.

6 **SECTION 5. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety.