

State Board of Education Rulemaking Duties
Established by the Educator Effectiveness Act (S.B. 10-191)

- 1) 22-9-105.5 (10) (a) On or before September 1, 2011, the state board shall promulgate rules with regard to the issues specified in paragraphs (a) to (h) of subsection (3) of [section 22-9-105.5], using the recommendations from the [State Council for Educator Effectiveness]. If the council fails to make recommendations to the state board by March 1, 2011, with regard to the issues specified in paragraphs (a) to (h) of subsection (3) of [section 22-9-105.5], the state board shall, on or before September 1, 2011, promulgate rules concerning any issues in said paragraphs (a) to (h) that the council did not address.
- 2) 22-9-105.5 (3) The State Council for Educator Effectiveness] 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 fifty percent of the evaluation 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 title 22. 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.

COUNCIL RECOMMENDATIONS:

- ***Measuring Teacher Practice (Quality Standards I-V) for Use in Teacher Evaluations***
- ***Measuring Student Growth (Quality Standard VI) for Use in Teacher Evaluations***
- ***Development of Student Growth Measures***

- b. (a.5) On or before March 1, 2011, to provide the state board with recommendations that will ensure that every principal is evaluated using multiple fair, transparent, timely, rigorous, and valid methods. The recommendations pursuant to this paragraph (a.5)

shall require that every principal is provided with a principal development plan. In making its recommendations, the council shall recognize that not all teachers and principals require the same amount of supervision and evaluation. As part of its recommendations to the state board, the council shall develop a process to enable a local school district to differentiate teacher and principal evaluations as part of its performance evaluation system.

COUNCIL RECOMMENDATIONS:

- ***Measuring Professional Practice (Quality Standards I-VI) for Principal Evaluations***
- ***Measuring Student Growth (Quality Standard VII) for Use in Principal Evaluations***
- ***Development of Student Growth Measures***

- c. (b) On or before March 1, 2011, to provide the state board with recommendations concerning the implementation and testing of the new performance evaluation system that is based on quality standards and with recommendations for the subsequent statewide implementation of the new performance evaluation system. The recommendations made pursuant to this paragraph (b) shall conform to the timeline set forth in subsection (3) of this section.

COUNCIL RECOMMENDATIONS

- ***Implementation Guidelines***
- ***Guidelines for CDE Implementation: Role of the State Model System***
- ***Pilot Process***

- d. (b.5) On or before march 1, 2011, to make recommendations to the state board concerning the involvement and support of parents of children in public schools, to the effect that parents should act as partners with teachers and public school administrators;

COUNCIL RECOMMENDATIONS

- ***Parent/Guardian Engagement Recommendations***

- e. (c) On or before March 1, 2011, to provide the state board with recommendations that will ensure development of a set of guidelines for establishing performance standards for each category of licensed personnel to be evaluated pursuant to this article. The guidelines shall outline criteria to be applied in assigning educators to appropriate performance standards, which shall include measures of student longitudinal academic growth.

COUNCIL RECOMMENDATIONS:

- ***State Scoring Framework***

- f. (d) On or before March 1, 2011, to develop and recommend to the state board statewide definitions of principal effectiveness and teacher effectiveness, each of which shall be centered on an educator's demonstrated ability to achieve and sustain

adequate student growth and shall include a set of professional skills and competencies related to improved student outcomes;

COUNCIL RECOMMENDATIONS:

- ***Definition of Teacher Effectiveness***
- ***Teacher Quality Standards***
- ***Definition of Principal Effectiveness***
- ***Principal Quality Standards***

- g. (e) On or before March 1, 2011, to develop and recommend to the state board guidelines for adequate implementation of a high-quality educator evaluation system that shall address, at a minimum, the following issues:
- (i) ongoing training on the use of the system that is sufficient to ensure that all evaluators and educators have a full understanding of the evaluation system and its implementation. The training may include such activities as conducting joint training sessions for evaluators and educators;
 - (ii) evaluation results that are normed to ensure consistency and fairness;
 - (iii) evaluation rubrics and tools that are deemed fair, transparent, rigorous, and valid;
 - (iv) evaluations that are conducted using sufficient time and frequency, at least annually, to gather sufficient data upon which to base the ratings contained in an evaluation;
 - (v) provision of adequate training and collaborative time to ensure that educators fully understand and have the resources to respond to student academic growth data;
 - (vi) student data that is monitored at least annually to ensure the correlation between student academic growth and outcomes with educator effectiveness ratings; and
 - (vii) a process by which a nonprobationary teacher may appeal his or her second consecutive performance rating of ineffective and submit such process by the first day of convening of the first regular session of the sixty-ninth general assembly to the education committees of the house of representatives and the senate, or any successor committees.

COUNCIL RECOMMENDATIONS:

- ***District Implementation Guidelines***
- ***CDE Implementation and Monitoring Guidelines***
- ***Developing a System for Appeals***
- ***Student Engagement Recommendations***

- h. (f) On or before March 1, 2011, to adopt and recommend to the state board a rubric for identifying multiple additional quality standards, in addition to student academic growth, that are rigorous, transparent, valid, and fair;

COUNCIL RECOMMENDATIONS:

- ***None. The Council determined that additional information to be collected during the pilot and initial implementation period was necessary in order to develop such rubric.***
- i. (g) On or before March 1, 2011, to make recommendations to the state board for policy changes, as appropriate, that will support local school districts' use of evaluation data for decisions in areas such as compensation, promotion, retention, removal, and professional development; and

COUNCIL RECOMMENDATIONS

- ***None. The Council determined that additional information to be collected during the pilot and initial implementation period was necessary in order to identify such policy changes.***
- j. (h) On or before March 1, 2011, to make recommendations to the state board for policy changes, as appropriate, that will ensure that the standards and criteria applicable to teacher and principal licensure and the accreditation of preparation programs are directly aligned with and support the preparation and licensure of effective educators.

COUNCIL RECOMMENDATIONS

- ***Policy Recommendations***