



COLORADO DEPARTMENT OF EDUCATION

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Robert K. Hammond
Commissioner of Education

Diana Sirko, Ph.D.
Deputy Commissioner

Keith Owen, Ph.D.
Associate Commissioner

October 24, 2011

Notice Inviting Public Comment Colorado's Elementary and Secondary Education Act Waiver Request

The Colorado Department of Education (CDE) intends to apply to the United States Department of Education (USDE) for waivers of certain requirements of the Elementary and Secondary Education Act (ESEA). CDE wants Colorado's education stakeholders and the general public to have an opportunity to comment on, and thereby help shape the waiver request. Students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes are all encouraged to consider CDE's waiver request and provide feedback.

CDE will be accepting comments on its ESEA waiver request up to 4 p.m. on Monday, November 7, 2011. Send comments to miller_c@cde.state.co.us. Any comments submitted will be included in the waiver application submitted to the USDE.

If you have questions regarding the waiver request, call or email Patrick Chapman:

Phone: 303-866-6780

Email: chapman_p@cde.state.co.us

Beginning October 27, 2011, a draft copy of the waiver request will be available for review at:

<http://www.cde.state.co.us/FedPrograms/>

Background

No Child Left Behind (NCLB), the current version of the federal Elementary and Secondary Education Act (ESEA), has served as a catalyst for constructive debate and action on educational issues such as school and district performance, teacher quality, English language acquisition, and choice options for students. However, the United States Congress has failed to act on the long overdue reauthorization of ESEA. Significant NCLB provisions are outdated and the constraints of the law make it difficult to move ahead with important reforms. Because of the delay in reauthorization, Secretary of Education Duncan has invited states to submit waivers to ESEA provisions and requirements that his administration previously would not consider.

In recent years, the State Board of Education (SBE), CDE, and Colorado's General Assembly have taken steps to significantly reform Colorado's system of accountability for schools and districts. Some examples include:

- The Colorado Growth Model that strengthens our ability to gauge students' progress toward proficiency
- Approval by the USDE to use Colorado's Growth Model as an additional method to annually assess school and district performance and identify schools and districts for Title I Improvement
- Enactment of CAP4K, SB08- 212, that resulted in leaner, clearer standards and a more comprehensive assessment system focused on college- and career- readiness
- Enactment of the Education Accountability Act of 2009, SB09- 163, which established performance frameworks for the annual evaluation of school and district performance and timelines for improvement, and created better alignment between state and federal accountability systems
- Launching of [SchoolView](#), a web portal that provides parents, educators, and the general public with access to a wealth of information regarding school and district performance
- Development of the Unified Improvement Planning template, a tool that aligns state and federal improvement planning requirements into a single document
- Enactment of SB10- 191, which will help to ensure that every building has a strong leader and every classroom has an effective teacher

CDE believes that the result of these reform efforts, together with the efforts of countless stakeholders, have enabled to Colorado to build state system of school and district accountability that meets the intent, purpose, and requirements of ESEA.

Why are waivers needed?

In creating and implementing the above mentioned reforms, the SBE, CDE, and state legislature have gone to great lengths to maximize the alignment of the state and federal systems of accountability. However, Colorado continues to implement a dual accountability system consisting of:

- Two distinct sets of criteria that are used to assess school and district performance
- Schools and districts that are identified as in need of improvement under one system but not the other
- Two sets of labels, timelines and consequences for schools and districts identified as in need of improvement
- Mixed messages to students, parents, and educators regarding school and district performance
- Choice options for students in some underperforming schools but not in other schools
- Difficulty tracking resources to the schools and districts that most need them
- Unnecessary, duplicative, and wasteful administrative burdens on schools, districts, and the State

In general, what does CDE hope to accomplish through this waiver process?

CDE hopes to have a single accountability system that is stronger and more credible than the current dual accountability system. CDE proposes to use:

- State established school and district performance indicators to meet Title I adequate yearly progress requirements
- State established educator evaluation rules to meet Title II highly qualified teacher requirements
- State established English language growth and proficiency measures to meet Title III annual measurable achievement objectives requirements
- State established school and district accreditation rules, performance categories, timelines, and consequences to meet Title I school and district improvement requirements
- State school and district performance frameworks and performance categories to target Title I School Improvement funds.

Specifically, what requirements will Colorado propose to be waived?

CDE will submit a comprehensive waiver package to USDE that will enable Colorado to use state-established school and district accountability criteria to meet federal requirements. CDE will request waivers of the eleven ESEA requirements listed below and their associated regulatory, administrative, and reporting requirements

1. The requirements in ESEA section 1111(b)(2)(E)-(H) that prescribe how CDE must establish annual measurable objectives (AMOs) for determining adequate yearly progress (AYP) to ensure that all students meet or exceed the State’s proficient level of academic achievement on the State’s assessments in reading/language arts and mathematics no later than the end of the 2013–2014 school year. CDE requests this waiver to develop new ambitious, but achievable AMOs in reading/language arts and mathematics in order to provide meaningful goals that are used to guide and support improvement efforts for the State, LEAs, schools, and student subgroups.
2. The requirements in ESEA section 1116(b) for an LEA to identify for improvement, corrective action, or restructuring, as appropriate, a Title I school that fails, for two consecutive years or more, to make AYP, and for a school so identified and its LEA to take certain improvement actions. CDE requests this waiver so that an LEA and its Title I schools need not comply with these requirements.
3. The requirements in ESEA section 1116(c) for CDE to identify for improvement or corrective action, as appropriate, an LEA that, for two consecutive years or more, fails to make AYP, and for an LEA so identified and CDE to take certain improvement actions. CDE requests this waiver so that it need not comply with these requirements with respect to its LEAs.
4. The requirements in ESEA sections 6213(b) and 6224(e) that limit participation in, and use of funds under the Small, Rural School Achievement (SRSA) and Rural and Low-Income School (RLIS) programs based on whether an LEA has made AYP and is complying with the requirements of ESEA section 1116. CDE requests this waiver so that an LEA that receives SRSA or RLIS funds may use those funds for any authorized purpose regardless of the LEA’s AYP status.

5. The requirement in ESEA section 1114(a)(1) that a school have a poverty percentage of 40 percent or more in order to operate a schoolwide program. CDE requests this waiver so that an LEA may implement interventions consistent with the turnaround principles or interventions that are based on the needs of the students in the school and are designed to enhance the entire educational program in a school, even if those schools do not the 40 percent poverty threshold.
6. The requirement in ESEA section 1003(a) for an SEA to distribute funds reserved under that section only to LEAs with schools identified for improvement, corrective action, or restructuring. CDE requests this waiver so that it may allocate section 1003(a) funds to its LEAs in order to serve any of the State's priority and focus schools.
7. The provision in ESEA section 1117(c)(2)(A) that authorizes CDE to reserve Title I, Part A funds to reward a Title I school that (1) significantly closed the achievement gap between subgroups in the school; or (2) has exceeded AYP for two or more consecutive years. CDE requests this waiver so that it may use funds reserved under ESEA section 1117(c)(2)(A) to reward any deserving school irrespective of these criteria.
8. The requirements in ESEA section 2141(a)-(c) for an LEA and SEA to comply with certain requirements for improvement plans regarding highly qualified teachers. CDE requests this waiver to allow it and its LEAs to focus on developing and implementing more meaningful evaluation and support systems for educators.
9. The requirements of ESEA section 3122(a) that prescribe how CDE must establish annual measurable achievement objectives tied to English language proficiency, English language attainment, and content proficiency among English language learners. CDE requests this waiver so that it may develop its own ambitious but achievable goals for English language attainments and ELL content proficiency.
10. The limitations in ESEA section 6123 that limit the amount of funds an SEA or LEA may transfer between certain ESEA programs. CDE requests this waiver so that it and its LEAs may transfer up to 100 percent of the funds it receives under the authorized programs among those programs and into Title I, Part A.
11. The requirements in ESEA section 1003(g)(4) and the definition of a Tier I school in Section I.A.3 of the School Improvement Grants (SIG) final requirements. CDE requests this waiver so that it may award SIG funds to an LEA to implement one of the four SIG models in any of the State's priority schools.

How do the ESEA requirements to be waived compare with similar State accountability requirements?

	ESEA	State System	Proposed
Goal	All students proficient in reading and math by 2013-14	All students on track for proficiency by 10 th grade and college- and career-- ready by exit	All students on track for proficiency by 10 th grade and college- and career-- ready by exit
Student target for accountability	Partially proficient or above	Proficient and above	Proficient and above
Assessment of school/district performance criteria	Adequate yearly progress Weights status over growth, considers few indicators outside of status, comprehensively disaggregates performance by student groups, considers English language proficiency - Pass/Fail system	School and district performance frameworks Weights growth and college/career readiness over status, considers indicators outside of status, Disaggregates performance by student groups in growth. Rating system with four possible ratings for each indicator and four plan types	Modified school/ district performance frameworks*
School and district improvement	NCLB, Sec. 1116	SB9- 163/SB Rules	SB9- 163/SB9-163 Rules
Choices for students in schools identified for Improvement	School districts must set aside up to 20% of their Title I allocation to cover the cost of Public School Choice Transportation and Supplemental Educational Services. An additional 10% must be set aside for professional development.	State law provides for intra- and inter-district school choice	State law and school districts with Priority Improvement or Turnaround schools must set aside up to 15% of their Title I allocation to cover the cost of Public School Choice Transportation and Supplemental Educational Services. Set-aside funds not expended by the end of the first semester may be used to cover expanded learning opportunities for students enrolled in Priority Improvement and Turnaround schools. An additional 10% may be set aside for professional development at the discretion of the school district.
	ESEA	State System	Proposed
Funds for schools and districts identified for improvement	Title I school improvement funds may only be awarded to Title I schools identified for improvement using adequate yearly progress		Title I school improvement funds may be awarded to schools and districts identified for improvement using state school and district performance frameworks
<p>*School and district performance frameworks will be evaluated and strengthened to:</p> <ul style="list-style-type: none"> • Ensure proper weighting and rigor across the four performance indicators • Adequately account for academic performance among disaggregated groups of students • Incorporate measures of progress toward English language proficiency among English language learners 			

What impact will the waivers have on the State’s accountability system?

If granted, the ESEA waivers will affect the number of schools and districts that are identified as in need of improvement. As noted above, without waivers, Colorado must use both state and federal measures to annually assess school and district performance. Some schools and districts are identified for improvement under one system but not by the other – and some are identified for improvement under both systems. With the waivers, Colorado would only use the state’s modified performance frameworks to identify schools for improvement. The table below delineates the number of schools and districts identified by the federal system (NCLB) in the 2010-11 school year, and the potential impact of the waivers on the number of school and district improvement designations.

2010-11 school year status (09-10) data	Identified by NCLB Title IA	Total identified without waiver (state and NCLB accountability)	Total that would be identified with waiver (state accountability only)*
Schools	202	372	241
Districts	85	91	24

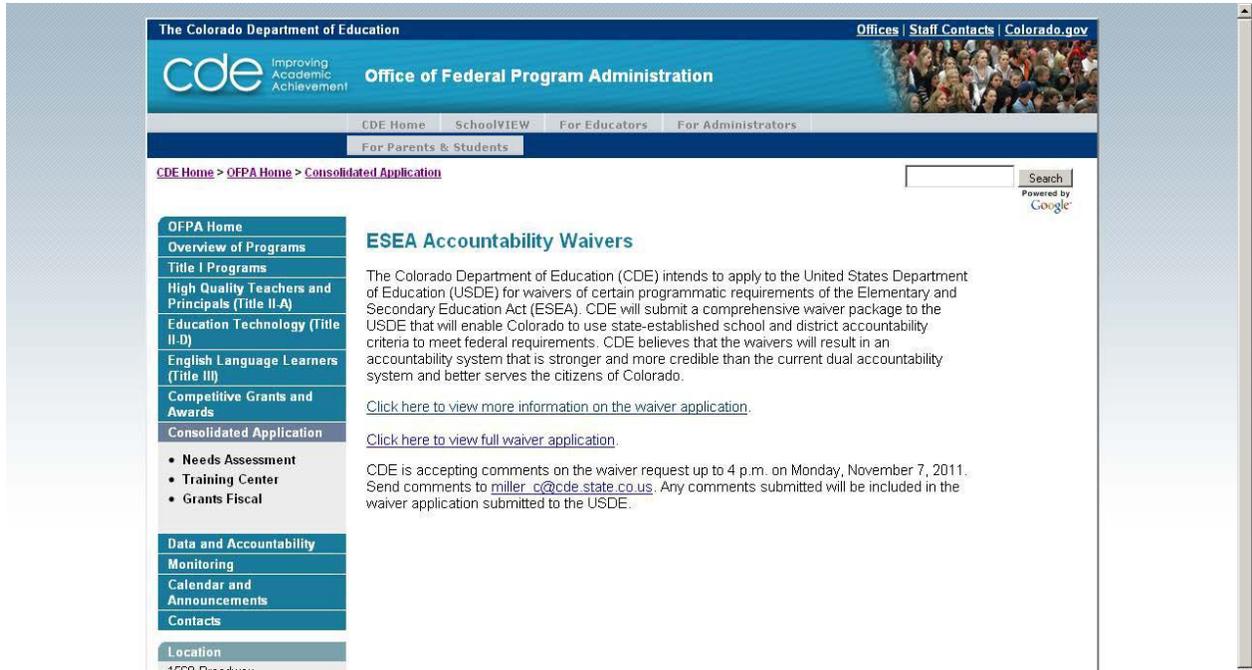
** Turnaround and Priority Improvement*

In addition to the impact on the number of schools and districts identified for improvement, CDE believes that the waivers will result in an accountability system that more effectively serves the citizens of Colorado. Colorado’s new single accountability system will:

- Target college- and career- readiness, not partial proficiency
- Focus on student progress – catch up, keep up, and move up
- Maintain choice options for students in struggling schools
- Focus resources on the schools and districts that most need them
- Less red tape - a streamlined and simpler accountability system
- Reduce administrative costs and burdens for schools, districts, and the State
- Be more accessible, meaningful and useful to parents and educators

Attachment 2 Notices Inviting Public Comment

Web Posting



The screenshot shows the CDE website's 'Office of Federal Program Administration' page. The header includes 'The Colorado Department of Education' and 'Improving Academic Achievement'. The main navigation bar lists 'CDE Home', 'SchoolVIEW', 'For Educators', and 'For Administrators'. A secondary bar lists 'For Parents & Students'. The breadcrumb trail reads 'CDE Home > OFPA Home > Consolidated Application'. A search box is located in the top right corner. The left sidebar contains a menu with items like 'OFPA Home', 'Overview of Programs', 'Title I Programs', 'High Quality Teachers and Principals (Title II.A)', 'Education Technology (Title II.D)', 'English Language Learners (Title III)', 'Competitive Grants and Awards', 'Consolidated Application', 'Data and Accountability', 'Monitoring', 'Calendar and Announcements', 'Contacts', and 'Location'. The main content area is titled 'ESEA Accountability Waivers' and contains the following text: 'The Colorado Department of Education (CDE) intends to apply to the United States Department of Education (USDE) for waivers of certain programmatic requirements of the Elementary and Secondary Education Act (ESEA). CDE will submit a comprehensive waiver package to the USDE that will enable Colorado to use state-established school and district accountability criteria to meet federal requirements. CDE believes that the waivers will result in an accountability system that is stronger and more credible than the current dual accountability system and better serves the citizens of Colorado.' Below this text are two links: 'Click here to view more information on the waiver application.' and 'Click here to view full waiver application.'. At the bottom of the main content area, it states: 'CDE is accepting comments on the waiver request up to 4 p.m. on Monday, November 7, 2011. Send comments to miller_c@cde.state.co.us. Any comments submitted will be included in the waiver application submitted to the USDE.'

Text from the Website

ESEA Accountability Waivers

The Colorado Department of Education (CDE) intends to apply to the United States Department of Education (USDE) for waivers of certain programmatic requirements of the Elementary and Secondary Education Act (ESEA). CDE will submit a comprehensive waiver package to USDE that will enable Colorado to use state-established school and district accountability criteria to meet federal requirements. CDE believes that the waivers will result in an accountability system that is stronger and more credible than the current dual accountability system and better serves the citizens of Colorado.

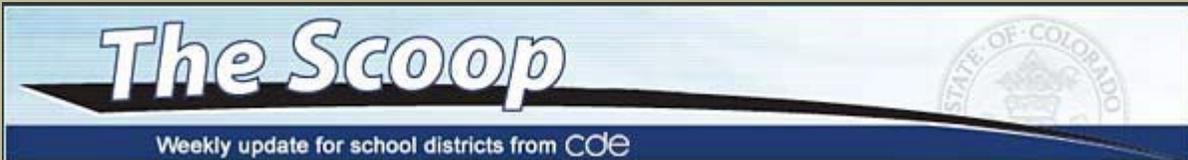
[Click here to view more information on the waiver application.](#)

[Click here to view full waiver application.](#)

CDE is accepting comments on the waiver request up to 4 p.m. on Monday, November 7, 2011. Send comments to miller_c@cde.state.co.us. Any comments submitted will be included in the waiver application submitted to USDE.

Miller, Cheryl

From: CDE Communications Office
Sent: Wednesday, October 26, 2011 1:57 PM
To: CDE Wide Mail
Cc: 'mike.thomas@fowler.k12.co.us'; 'jsueltz@acsd14.k12.co.us'; 'j davidson@lajunta.k12.co.us'; 's Adolf@bethuneschool.com'; 'kyle.Hebberd@walsh.k12.co.us'; 'rlindenschmidt@bethuneschool.com'; 'njohnson@garcoschools.org'; 'steven.grasmick@fowler.k12.co.us'
Subject: The Scoop... - The CDE Weekly Newsletter - Wednesday, October 26, 2011



Wednesday, October 26, 2011

**** Action Item**

Reminders

**** UIP Submission Process - Tracker Contact Information**

School and district UIPs will be submitted to CDE in 2011-12 via the online Tracker System using the same process as in 2010-11. In order to access the Tracker System, each district must identify a Tracker Contact who will be responsible for submitting their improvement plans to CDE in January and/or April 2012. The Tracker Contact will receive all Tracker- related communications for your district. New Tracker Contacts will be issued a username and password to access the Tracker System later this fall.

Please complete the Tracker Contact Form even if the assigned person was the respondent for the 2010-11 school year or uses the Tracker System for NCLB monitoring and desk review purposes. He/she will be able to keep his/her current username and password to access the Tracker System. We understand that this may be the superintendent in some districts.

Please complete the form by Tuesday, November 1, 2011

[Click Here for Additional Information](#)

For More Information, Contact:
Jamie Baker
Unified Improvement Planning
Phone: 303-866-6108
Email: uiphelp@cde.state.co.us

Federal Programs

Public Comment on the ESEA Accountability Waivers Will Be Accepted Until Nov. 7

The Colorado Department of Education (CDE) intends to apply to the United States Department of Education (USDE) for waivers of certain programmatic requirements of the Elementary and Secondary Education Act (ESEA). CDE will submit a comprehensive waiver package to the USDE that will enable Colorado to use state-established school and district accountability criteria to meet federal requirements. CDE believes that the waivers will result in an accountability system that is stronger and more credible than the current dual accountability system and better serves the citizens of Colorado.

CDE is accepting comments on the waiver request up to 4 p.m. on Monday, Nov. 7, 2011. Send comments to miller_c@cde.state.co.us. Any comments submitted will be included in the waiver application submitted to the USDE.

[Click Here for Additional Information](#)

For More Information, Contact:
Cheryl Miller
Federal Program Administration
Phone: 303-866-6214
Email: miller_c@cde.state.co.us

Announcements

Grants Fiscal Job Announcement

Grants Fiscal has an opening for a Title I grant accountant with a strong finance, accounting, or business background. Additional information can be found at the following link. The posting closes on Wednesday, Nov. 2.

[Click Here for Additional Information](#)

For More Information, Contact:
David Lyon
Grants Fiscal
Phone: 303-866-6836
Email: lyon_d@cde.state.co.us

Nominations Requested for State Review Panel

The Commissioner is currently seeking nominations for field experts to serve on a panel of educators to review district and school turnaround plans. Nominations must be received by Friday, Nov. 4, 2011. Names, along with the nominee's qualifications and resume, should be e-mailed to Associate Commissioner Keith Owen at uiphelp@cde.state.co.us. Panelists will begin training and reviews in January 2012.

For more information on the State Review Panel, please see this memo from the Commissioner: <http://bit.ly/uAiG3K>

For more information on the Unified Improvement Planning process, please see the link below.

[Click Here for Additional Information](#)

For More Information, Contact:
Somoh
Accountability & Improvement

Miller, Cheryl

From: Algiene, Clara [algiene_c@cde.state.co.us]
Sent: Tuesday, October 25, 2011 11:13 AM
To: Miller, Cheryl
Subject: ESEA Waivers "No Child Left Behind"
Attachments: ESEA waivers notice inviting public comment 10 24.docx

Importance: High

Dear Title I, Title II, and Title III Directors:

The Colorado Department of Education (CDE) is in the process of developing an application to the U.S. Department of Education (USDE) to waive certain provisions and requirements of No Child Left Behind. Included in the request are waivers to provisions in Title I, Title II, and Title III. As part of the process, we are inviting stakeholders and other interested parties to review and comment on CDE's proposal. It is very helpful to have a wide variety of perspectives included in helping to shape what is ultimately submitted to the USDE. Attached, please find a notice inviting you to review a summary of CDE's proposal and provide any concerns or comments you may have to Cheryl Miller by November 7th at miller_c@cde.state.co.us. A draft of the full proposal should be ready to post on CDE's website by October 27th.

Thank you,
Pat

Patrick B. Chapman
Executive Director
Office of Federal Program Administration
Colorado Department of Education
1560 Broadway, Suite 1450
Denver CO 80202 ph:
303-866-6780
chapman_p@cde.state.co.us

You are currently subscribed to title3 as: miller_c@cde.state.co.us. To unsubscribe click here:

<http://web:88/u?id=121580.676403a3203b3e8382a16ce148549f1f&n=T&l=title3&o=624914>

(It may be necessary to cut and paste the above URL if the line is broken) or send a blank email to

leave-624914-121580.676403a3203b3e8382a16ce148549f1f@web.cde.state.co.us

Miller, Cheryl

From: CDE Communications Office
Sent: Friday, October 28, 2011 3:36 PM
To: news@web.cde.state.co.us
Cc: CDE Wide Mail
Subject: News Release: State Ed Dept Seeks Input on Federal Waiver Request



Colorado Department of Education
201 E. Colfax Ave.
Denver, CO 80203
Phone: 303-866-6822
303-866-2334

October 28, 2011

For immediate release

For more information, contact: Janelle Asmus, Chief Communications Officer
303-866-6822

The state welcomes public comment on Colorado’s Elementary and Secondary Education Act waiver request

When the President announced that he and the U.S. Department of Education were opening opportunities for states to obtain waivers from No Child Left Behind (NCLB) rules, Colorado was among the first to get in line. But before submitting its request for waivers to the federal law, the Colorado Department of Education is asking Coloradans to consider its request and provide feedback on the proposal. The Department encourages students, parents, teachers, and all others interested in public education in Colorado to log onto its website to review a notice inviting public comment and an initial draft of the waiver request at <http://www.cde.state.co.us/FedPrograms/>

Comments and feedback can be sent to miller_c@cde.state.co.us. The deadline for feedback is 4 p.m. on Monday, Nov. 7. Comments will help shape subsequent drafts of the application and all comments received will be included in the waiver application submitted to the U.S. Department of Education.

One of the chief goals in asking for waivers from the NCLB law is to allow Colorado to use its state accountability system to meet many of the federal requirements. Instead of having two systems – state and federal - Colorado will have a single, better system to rate schools and districts. Having two systems has created confusion among parents, educators and communities because each measures different things and often resulted in very different labels for schools. Approval of CDE’s waiver request will help put an end to that confusion.

The Colorado Department of Education anticipates submitting its waiver application to the U.S. Department of Education by the November 14 deadline. The U.S. Department of Education has indicated it will complete its review and approval process early in 2012.

If you have questions regarding the waiver request, call or e-mail Patrick Chapman at 303-866-6780 or chapman_p@cde.state.co.us

STATE OF COLORADO

OFFICE OF THE GOVERNOR

136 State Capitol
Denver, Colorado 80203
Phone (303) 866-2471
Fax (303) 866-2003



John W. Hickenlooper
Governor

November 10, 2011

The Honorable Arnie Duncan
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan:

We wish to support Colorado's request for a waiver from certain provisions of the Elementary and Secondary Education Act (ESEA) under the guidance of your invitation to the states. In recent years, Colorado has demonstrated dramatic progress in promoting accountability among our students, educators, and schools, surpassing federal standards and becoming a nationally-recognized leader for education reform. A waiver from the Department of Education would give our state the flexibility necessary to continue advancing our carefully-designed and ambitious accountability agenda.

Colorado's efforts adhere to the spirit of No Child Left Behind, while taking it a step further with a new vertically aligned system of standards and assessments; a robust school performance and accountability framework; and an educator evaluation system designed to attract and retain great teachers and principals. In particular, the adoption of HB07-1048, SB08-212, SB09-163, and SB10-191 form the statutory foundation for Colorado's widely-recognized efforts. Notably, Colorado's longitudinal Growth Model has been adopted by 20 other states. Educators nationwide are closely following the ongoing implementation of our pioneering educator evaluation system. This complementary and coherent set of reforms has been adopted by a broad coalition of stakeholders in Colorado assuring effective implementation throughout the state.

No Child Left Behind once set the standard for education accountability, but Colorado has since taken the initiative to go beyond federal law, rendering certain, specific provisions cumbersome and duplicative.

We urge you to give strong consideration to our waiver request.

Sincerely,

John W. Hickenlooper
Governor

Joseph A. Garcia
Lieutenant Governor

Executive Director
Department of Higher Education

Letter of Support from U. S. Senator Michael Bennett

MICHAEL F. BENNET
COLORADO

COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY
BANKING, HOUSING, AND
URBAN AFFAIRS
HEALTH, EDUCATION, LABOR,
AND PENSIONS
SPECIAL COMMITTEE ON AGING

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WASHINGTON, DC 20510-0609

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(202) 224-5852

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SUITE 450
DENVER, CO 80202
(303) 455-7600

<http://www.bennet.senate.gov>

November 11, 2011

Secretary Arne Duncan
United States Department of Education
400 Maryland Ave, SW
Washington, DC 20202

Dear Secretary Duncan,

I am writing in support of Colorado's application for a waiver from No Child Left Behind (NCLB).

Colorado is uniquely positioned to demonstrate national leadership with our waiver plan. My state has adopted an aggressive reform agenda that includes a comprehensive accountability system with meaningful indicators and early intervention. In addition, Colorado is developing a cutting edge teacher evaluation system based on evidence of student academic growth.

Colorado is in a position to demonstrate national leadership in the area of education accountability. In 2007 Colorado adopted the Growth Model, a groundbreaking means of measuring student academic growth, which has spurred collaboration with over a dozen states. With our Growth Model, School Performance Framework, and the use of unified improvement plans for schools and districts, we have established a rigorous system that can serve as an example for what a quality accountability system should look like. The Colorado Growth Model and School Performance Framework provide parents, educators and taxpayers with clear and accessible information, and set high goals for all of our students.

NCLB is more than four years overdue for reauthorization, and Congress' failure to act has left states struggling under some of the law's most onerous provisions and while failing to provide students with the education they need to compete in a 21st century economy. I am pleased that we have taken bipartisan action in the Senate to move forward on reauthorization, but recognize that waivers can provide much needed relief to Colorado as we continue to move through the process of reauthorization. However, Colorado students cannot afford to wait any longer. I urge to approve Colorado's waiver request.

Sincerely,



Michael F. Bennet
U.S. Senator

Letter of Support from U.S. Congress Member, Jared Polis

JARED POLIS
2ND DISTRICT, COLORADO

REGIONAL WHIP

COMMITTEES:
COMMITTEE ON RULES
STEERING AND POLICY



Congress of the United States House of Representatives

November 10, 2011

501 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0602
(202) 225-2161
(202) 226-7840 (FAX)

Website and email:
<http://polis.house.gov>

Facebook.com/JaredPolis
Youtube.com/user/JaredPolis31275

The Honorable Arne Duncan
Secretary, U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan:

I write to support Colorado's application for waiver under the federal Elementary and Secondary Education Act (ESEA). As demonstrated by the waiver request, Colorado is excited to respond to the Secretary's invitation to request flexibility on behalf of itself, its local educational agencies, and schools. The state is in a position to demonstrate national leadership in the area of education accountability, and the requested waiver can help to facilitate this work.

Colorado is an ideal state to receive an ESEA waiver. Over the past few years, the state has initiated numerous reforms to improve the quality of instruction and student academic achievement. This aggressive reform agenda includes a comprehensive accountability system that includes student academic growth; updated standards and assessments with vertical alignment from early education through higher education; state accreditation of schools and school districts using key college and career ready student indicators to inform improvements; and meaningful educator evaluations. The Colorado accountability system is more nimble, more comprehensive, more responsive, and more coherent than that required by No Child Left Behind (NCLB). While NCLB initially helped Colorado focus on increasing accountability for all students, many of its requirements have become barriers to the state's ability to move forward with reform efforts.

With the Colorado Growth Model and School Performance Framework, the state has established a rigorous system that can serve as an example for what a quality accountability system should look like. Under current law, however, the state must continue to operate under two competing accountability systems. This dual process confuses districts, parents, and taxpayers. Colorado should be permitted to use its state-developed, more rigorous accountability system in order to meet federal requirements.

Because NCLB has not kept up with the times, and because our children cannot continue to wait for a more permanent solution from Congress, it is imperative that Colorado be granted the requested waiver from ESEA. Colorado's waiver request should be granted in order to, in the President's words, "harness all the good ideas coming out of our states."

I strongly urge the department to approve Colorado's waiver request. Thank you for your consideration.

Yours Truly,

Jared Polis
Member of Congress

DISTRICT OFFICES

BOULDER OFFICE
4770 BASELINE ROAD, SUITE 220
BOULDER, CO 80303
303-484-9596
303-568-9007 (FAX)

MOUNTAIN OFFICE
101 WEST MAIN STREET, SUITE 101G
FRISCO, CO 80443
970-688-3240

THORNTON OFFICE
1200 EAST 78TH AVENUE, SUITE 105
THORNTON, CO 80229
303-287-4159

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STATE OF COLORADO



DEPARTMENT OF HIGHER EDUCATION

John Hickenlooper
Governor

November 14, 2011

Lt. Gov. Joseph A. Garcia
Executive Director

U.S. Department of Education
Washington, DC 20202
OMB Number: 1810-0708

To Whom It May Concern:

It is my pleasure to write a letter of support regarding the proposed ESEA Flexibility Request being submitted to the U.S. Department of Education by the Colorado Department of Education. Our two state agencies work in close partnership with one another and as the proposal describes, we have been working toward creating a stronger alignment between P12 and higher education policies and practices. Our efforts are based on a common goal, and that is to ensure all students graduate from high school in Colorado ready for success in college or the workforce.

I fully support the waiver request because it will allow the Colorado to continue to implement its ambitious reform agenda and meet the goals articulated in ESEA. Colorado is committed to the three principles outlined in the waiver pre-conditions, including the adoption and implementation of college and career readiness standards; the creation of an educator evaluation and support system; and continued implementation of our new system of differentiated recognition, accountability and support.

In conclusion, the Colorado Department of Higher Education fully supports the Colorado Department of Education's ESEA Flexibility Request and is committed to continuing our partnership with them. I believe the state will deliver on the plans contained in the waiver request with the utmost fidelity and stakeholder involvement, and one day serve as an exemplary model of innovative education reform and P20 alignment efforts.

Sincerely,

Lt. Governor Joseph A. Garcia
Executive Director

CC: Robert K. Hammond, Commissioner, Colorado Department of Education

Letter of Support from the Colorado Association of School Boards



Colorado Association of School Boards
1200 Grant Street
Denver, Colorado 80203-2306
Phone: (303) 832-1000 • (800) 530-8430
Fax: (303) 832-1086

November 9, 2011

Honorable Arne Duncan
Secretary of Education
U.S. Department of Education
Office of Elementary and Secondary Education
Student Achievement and School Accountability Programs
400 Maryland Avenue SW
Washington, DC 20202

Re: Colorado's ESEA Waiver Request

Dear Mr. Secretary:

Colorado is excited to respond to your invitation to request flexibility on behalf of itself, its local educational agencies, and its schools. Colorado is in a position to demonstrate national leadership in the area of education accountability, and the requested waiver can help to facilitate this work.

Over the past few years, Colorado has initiated numerous reforms to improve the quality of instruction and academic achievement of students in the state. This aggressive reform agenda includes a comprehensive accountability system. The Colorado accountability system is more nimble, more comprehensive, more responsive, and more coherent than that required by NCLB. While NCLB initially helped Colorado focus on increasing accountability for all students, many of its requirements have become barriers to the state's ability to move forward with reform efforts.

With the Colorado Growth Model and School Performance Framework, Colorado has established a rigorous system that can serve as an example of what a quality accountability system should look like. Under current law, however, the state must continue to operate under two competing accountability systems. This dual process confuses districts, parents, and taxpayers. Colorado should be permitted to use its state-developed, more rigorous accountability system in order to meet federal requirements.

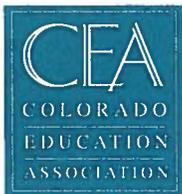
Because NCLB has not kept up with the times, and because our children cannot continue to wait for a more permanent solution from Congress, it is imperative that Colorado be granted the requested ESEA waiver. Colorado's waiver request should be granted in order to, in the President's words, "harness all the good ideas coming out of our states."

Respectfully,

A handwritten signature in black ink, appearing to read "Kenneth DeLay". The signature is fluid and cursive, with a large initial "K" and "D".

Kenneth DeLay
Executive Director
Colorado Association of School Boards

Letter of Support from the Colorado Education Association



Affiliated with the National Education Association

November 10, 2011

Secretary Arne Duncan
U.S. Department of Education
Office of Elementary and Secondary Education
Student Achievement and School Accountability Programs
400 Maryland Avenue, SW
Washington, DC 20202

Dear Mr. Secretary:

The Colorado Education Association, representing more than 40,000 teachers and school staff, supports the Colorado Department of Education's submission to the USDE for comprehensive waivers so that Colorado's comprehensive state, school and district accountability criteria can be used to meet federal requirements.

Using the Colorado Growth Model and School Performance Framework, Colorado has adopted one of the most aggressive reform agendas, including a comprehensive state-mandated accountability system.

Colorado's new accountability system targets college and career readiness, with a focus on student progress and the effective use of school and district resources. CEA believes that the waivers will allow Colorado to refine its accountability system to more effectively serve our citizens.

In recent years, the Colorado State Board of Education, Department of Education, and General Assembly have taken steps to reform Colorado's accountability system for schools and districts: state statutes that resulted in leaner, clearer standards; a more comprehensive assessment system focused on college and career readiness; and the Education Accountability Act with performance frameworks for the annual evaluation of school and district performance. This new law created better alignment between state and federal accountability systems. It launched SchoolView, a web portal that provides parents, educators, and the public with access to information regarding school and district performance. The law also includes a Unified Improvement Planning template that aligns state and federal improvement planning requirements into a single document.

Senate Bill 10-191, Colorado's new teacher and principal evaluation law, will ensure that every school has a strong leader, every classroom has an effective teacher, and our system meets federal accountability standards.

CEA believes that these reform efforts, together with the efforts of all stakeholders, have enabled Colorado to build a statewide system of school and district accountability that meets the intent, purpose, and requirements of ESEA. Therefore, we believe that the requested ESEA waivers should be granted.

Respectfully,

Beverly Ingle
CEA President

Tony Salazar
Executive Director

1500 Grant Street
Denver, Colorado 80203-1800
303-837-1500 800-332-5939 Fax 303-837-9006
www.col162oea.org

Comments from Colorado's Committee of Practitioners

Minutes - Committee of Practitioners Meeting ~ November 2, 2011

Held at the Charter School Institute, 1580 Logan, Denver

Present: Christy Bloomquist, Anita Burns, Jesus Escarcega, Mary Ellen Good, Dianna Hulbert, Melanie Jones, Shelly Ocanas, Jonelle Parker, Kathryn Smukler and Clara Algiene

Welcome and Introductions– Christy Bloomquist, CoP Co-Chair

Christy Bloomquist opened the meeting by welcoming all attendees and thanked everyone for coming.

Christy will chair the meeting, and Clara will take the minutes.

ESEA Waivers- Trish Boland

Trish Boland was present to take feedback from the group regarding the ESEA waiver to the US Department of Education. The draft waiver had been emailed to the group prior to the meeting. By and large the group supported the overall intent and requests in the waiver and passed a motion in support of it. Individuals had issues with some aspects of the waiver, including maintaining SES. However, as a group, the draft waiver was supported. Individuals can forward comments via the link on the CDE website

Question-Will Gifted and Talented be added into the waiver? – NO

The window is open for comments until November 7th at 4:00 pm. Committee members were encouraged to consult with colleagues and then send a response to CDE using the link provided in the email sent to members on October 29, 2011.

CDE would like to have the Committee members' feedback either as individuals or as a large group. The members attending the meeting decided to provide individual feedback via the web link.

As a group the CoP does support/endorse the ESEA Waiver submission as received. **"Approved"**

Mary Ellen motioned and Jonelle 2nd.

Other: Agenda Items for Next meeting

Waiver updates – what's happened?

Impact of ARRA Funding – How did it affect Title I, Homeless, and Special Education?

Updates regarding Consolidated Application for 2012-2013

Next Meeting – February 1, 2012

Comments from CDE's Education Data Advisory Committee (EDAC)

November 4, 2011

- (1) EDAC supported the waiver's plan around educator effectiveness
- (2) EDAC questioned the departments approach to SES in the waiver and whether the program should continue

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## Comments from Mega Meeting with ELL group

November 3, 2011

- (1) ELL growth needs to be looked and included in data analysis and district and school frameworks
- (2) When addressing ELL achievement and data, consider bi-lingual programs to ensure that districts/school are not penalized for those programs

## Comments from Colorado School Districts and District Representatives

**Dake, Nicole**

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**From:** Zumpf, Connie L [czumpf@CherryCreekSchools.org]  
**Sent:** Monday, November 07, 2011 3:08 PM  
**To:** Miller, Cheryl  
**Subject:** Please see attached comments on ESEA Waiver  
**Attachments:** Title 1 Waiver Comments.docx

Please see attached comments on ESEA Waiver  
Thank you for the opportunity to comment.

Connie Zumpf

**Connie L. Zumpf, Ph.D.**  
Director, Office of Assessment & Evaluation  
Cherry Creek School District  
5416 South Riviera Way  
Centennial, CO 80015  
720-554-5004, [czumpf@cherrycreekschools.org](mailto:czumpf@cherrycreekschools.org)

*"Don't believe everything you think."*

**Comments on ESEA Waiver Request**

We have looked closely at the ESEA waiver summary and the subsequent paper by Bill Bonk explaining how the Colorado Growth Model (and specifically, AGP) will be brought to bear on our proposed new conceptualization and calculation of AYP. Our thoughts are below.

**Ambitious Yet Achievable Growth.** The description of the waiver request states that the waiver will allow Colorado to create ambitious but achievable AMOs in reading/language arts and mathematics in order to provide meaningful goals. This provides Colorado stakeholders with an opportunity to bring our growth model to bear on setting targets referenced to the criterion of proficiency on state standards, and to create AYP targets that have realistic meaning for educators and students. In this spirit, now may be a good time for us to consider anew our aspirations for our lowest performing students (students at Unsatisfactory levels of performance). We need not move away from the “Proficient” target, but extending the timeline for “US” students to achieve proficiency might be a more helpful and realistic aim than our current calculated AGP trajectory based on “three years or by grade 10” as the outcome.

**“Stepping Stone” Growth Expectations for English Language Learners on CELA.** CDE may have opened the door to this by proposing a “stepping stone” model of growth for ELA students as measured by CELA (webinar last week). A student who begins at a CELA proficiency level of 1 is estimated to take up to 5-6 years to reach English language proficiency (CELA Growth webinar last week). Part of the logic in

| Current Proficiency Level | Desired Proficiency Level | Time Line |
|---------------------------|---------------------------|-----------|
| 1                         | 2                         | 1 year    |
| 2                         | 3                         | 1 year    |
| 3                         | 4                         | 2 years   |
| 4                         | 5                         | 2 years   |

creating the “stepping stones” expectations rests on the examination of CELA median growth percentiles for students who moved from one CELA performance level to another over one year.

| CELApro Growth For Changes In Proficiency Levels | CELApro Overall Results 2011 |     |         |     |         |     |         |     |         |     |
|--------------------------------------------------|------------------------------|-----|---------|-----|---------|-----|---------|-----|---------|-----|
|                                                  | Level 1                      |     | Level 2 |     | Level 3 |     | Level 4 |     | Level 5 |     |
|                                                  | Valid N                      | MGP | Valid N | MGP | Valid N | MGP | Valid N | MGP | Valid N | MGP |
| Level 1                                          | 2,496                        | 15  | 3,123   | 47  | 2,557   | 75  | 592     | 85  | 7       | 99  |
| Level 2                                          | 532                          | 3   | 3,198   | 20  | 6,355   | 55  | 2,619   | 87  | 70      | 99  |
| Level 3                                          | 46                           | 1   | 912     | 5   | 8,853   | 29  | 10,574  | 72  | 386     | 98  |
| Level 4                                          | 2                            | 1   | 57      | 1   | 2,565   | 8   | 19,825  | 45  | 6,116   | 87  |
| Level 5                                          | 1                            | 1   | 1       | 1   | 34      | 5   | 595     | 24  | 752     | 70  |

**Similar Logic for CSAP Growth?** We understand that English language proficiency progress over time is not the same as content area achievement over time. However, why not apply similar logic to setting expectations for our very lowest performing students on CSAP? The system focus should still be on

Comments on ESEA Waiver Request

student progress, including catch up, keep up, move up, and “step up” (from Unsatisfactory to Partially Proficient levels of performance). In a “stepping stone” model like the one proposed for CELA, the ultimate target should still be “Proficient” as measured by our State assessments. The timeline for the lowest performing students to attain proficiency would be somewhat extended beyond three years.

As an aside, year-to-year MGPs for one cohort of CCSD students who moved from Unsat to Proficient in 3 years ranged from the mid-80’s to the mid-90’s. While this certainly implies “ambitious” growth in three years, is it “achievable” for most Unsat students? It would be helpful to see more complete calculations based on State data. How reasonable is the “three years or by grade 10” expectation of growth and change on CSAP? What are the MGPs for students who move from US or PP to Proficient in 1, 2, and 3 years? What would constitute an ambitious, yet achievable target for these students?

Whatever Happened to Catch Up Keep Up? You may be asked by some of your Colorado colleagues to speak to why we are not making use of the “percent Catch Up/Keep Up/Step Up” metrics. Why does CDE not see these metrics as a more direct manner in which to measure progress toward the criterion?

Thank you for the opportunity to comment.

Connie

Connie Zumpf, Ph.D.  
Director  
Cherry Creek Schools Office of Assessment & Evaluation

**Dake, Nicole**

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**From:** Renaldi, Regina [renaldi\_regina@svvsd.org]  
**Sent:** Sunday, November 06, 2011 11:11 PM  
**To:** Miller, Cheryl  
**Subject:** ESEA Waiver

Hi Cheryl,

I am writing to express my strong support of the ESEA accountability waiver proposed by CDE. As a representative of St. Vrain Valley School District with oversight responsibility for both Title I and Title III my interest in the waiver requests are of great importance. Of specific strength in the waiver is the use of the Colorado Performance Frameworks to define AYP. We believe this framework with the inclusion of the Colorado Growth Model supports the leveling of the playing field with accountability that is rigorous but achievable for Title I schools. We strongly support the components of the waiver that request a change in the 20% set aside requirement for schools that reach levels above priority improvement and turnaround rather than the current improvement status requirements and sanctions. We also would encourage the use of the Colorado Growth model in defining rigorous targets for second language learners. Finally, we can support the use of 1003g funds for any school in turnaround status rather than for use by Title I schools only. Thank you for soliciting our feedback regarding the waivers.

Regina

**Regina Renaldi**  
**Executive Director of Priority Programs**  
**St. Vrain Valley School District**  
**303.682.7211**

**Dake, Nicole**

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**From:** BRILLIANT, HOLLY A [HOLLY.BRILLIANT@d11.org]  
**Sent:** Thursday, November 03, 2011 11:37 AM  
**To:** Miller, Cheryl  
**Subject:** COmments  
**Attachments:** Public Comment on Colorado.docx

**Importance:** High

Cheryl,

Here are comment from D11 Title I. Sorry so late! ☹

Holly

**Holly A. Brilliant**  
**Title I Director/Homeless Liaison**  
**Fax 520-2421**  
**Phone 520-2422**

Dear Mr. Chapman and Colorado Department of Education Staff,

First, Colorado Springs School District 11 Title I staff appreciates your hard work on this waiver request on behalf of all Colorado school districts. We feel that CDE works continually to support LEAs and we are grateful in that regard. With that said, we feel sure you are frustrated, as we are, that Congress is now pushing for a pre-Christmas reauthorization of ESEA that could potentially void all the work LEAs and SEAs are completing at this time to apply for ESEA waivers. Nonetheless, we have reviewed the CDE-proposed waivers and offer the following comments.

1. The requirements in ESEA section 1111(b)(2)(E)-(H) that prescribe how CDE must establish annual measurable objectives (AMOs) for determining adequate yearly progress (AYP) to ensure that all students meet or exceed the State's proficient level of academic achievement on the State's assessments in reading/language arts and mathematics no later than the end of the 2013-2014 school year. CDE requests this waiver to develop new ambitious, but achievable AMOs in reading/language arts and mathematics in order to provide meaningful goals that are used to guide and support improvement efforts for the State, LEAs, schools, and student subgroups.

District 11 Title I staff approves this waiver request as a means of holding schools accountable for student achievement, but doing so in a manner that emphasizes student growth and eliminating the achievement gap among groups as opposed to strictly meeting a predetermined proficiency "bar".

2. The requirements in ESEA section 1116(b) for an LEA to identify for improvement, corrective action, or restructuring, as appropriate, a Title I school that fails, for two consecutive years or more, to make AYP, and for a school so identified and its LEA to take certain improvement actions. CDE requests this waiver so that an LEA and its Title I schools need not comply with these requirements.

District 11 Title I staff approves this waiver request *as written*. We have found after years of implementation that the sanctions (i.e. Choice and Supplemental Educational Services) placed upon schools in improvement corrective action and restructuring do little to actually improve the academic achievement of students in those schools while they funnel needed funds away from all Title I schools and district-level improvement projects. However, we do NOT approve the following proposed CDE expansion on the waiver request:

State law and school districts with priority improvement or turnaround schools must set aside up to 15% of their Title I allocation to cover the cost of Public School Choice Transportation and Supplemental Educational Services. Setaside funds not expended by the end of the first semester may be used to cover expanded learning opportunities for students enrolled in priority improvement and turnaround schools. An additional 10% may be set aside for professional development at the discretion of the school district.

As stated above, Choice and SES do little to actually improve achievement of students or schools as a whole. Asking for a federal waiver from these sanctions only to reapply them at the state level for selected schools seems counterproductive. If Choice and SES are ineffective now, it is

unlikely they will be effective in newly selected schools. Additionally, a set-aside of 15% of an LEA's total allocation for this purpose decreases the funding available to support Title I schools in initiatives that are proving to be effective while putting LEAs at risk of exceeding the 15% carryover threshold. We would encourage CDE to reconsider the proposed expansion and eliminate the requirement for Choice and SES completely as outlined by USDE.

3. The requirements in ESEA section 1116(c) for CDE to identify for improvement or corrective action, as appropriate, an LEA that, for two consecutive years or more, fails to make AYP, and for an LEA so identified and CDE to take certain improvement actions. CDE requests this waiver so that it need not comply with these requirements with respect to its LEAs.

District 11 Title I approves this waiver request. Similar to improvement sanctions in schools, external processes imposed on the district, such as hiring outside consultants to collaboratively create an improvement plan, have failed to bring about significant change. We do, however, believe that the 10% set aside for district-level professional development should remain optional for districts.

4. The requirements in ESEA sections 6213(b) and 6224(e) that limit participation in, and use of funds under the Small, Rural School Achievement (SRSA) and Rural and Low-Income School (RLIS) programs based on whether an LEA has made AYP and is complying with the requirements of ESEA section 1116. CDE requests this waiver so that an LEA that receives SRSA or RLIS funds may use those funds for any authorized purpose regardless of the LEA's AYP status.

While this waiver does not affect District 11, Title I staff approves this waiver request.

5. The requirement in ESEA section 1114(a)(1) that a school have a poverty percentage of 40 percent or more in order to operate a schoolwide program. CDE requests this waiver so that an LEA may implement interventions consistent with the turnaround principles or interventions that are based on the needs of the students in the school and are designed to enhance the entire educational program in a school, even if those schools do not the 40 percent poverty threshold.

Again, this does not affect D11; however, we do wonder how many schools in Colorado might be affected by this. Assuming that CDE works with LEAs with schools in the above described situation on a case-by-case basis to ensure schoolwide programming does, in fact, meet the needs of the students, Title I staff cautiously approves this waiver request.

6. The requirement in ESEA section 1003(a) for an SEA to distribute funds reserved under that section only to LEAs with schools identified for improvement, corrective action, or restructuring. CDE requests this waiver so that it may allocate section 1003(a) funds to its LEAs in order to serve any of the State's priority and focus schools.

District 11 Title I staff is undecided regarding this waiver request. While it is unprecedented to provide non-Title I schools with funds earmarked exclusively for Title I schools under ESEA, "priority" and "focus" schools are, by definition, schools that *could* meet the purpose (and ostensibly the *intent*) in Section 1001:

(2) meeting the educational needs of low-achieving children in our Nation's highest-poverty schools, limited English

proficient children, migratory children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading assistance;  
(3) closing the achievement gap between high- and low performing children, especially the achievement gaps between minority and nonminority students, and between disadvantaged children and their more advantaged peers;

CDE, by way of alternative, could work with LEAs with "priority" and "focus" schools to determine if these schools could be funded under Title I through grade span groupings or extrapolations of FRL data from feeder schools.

7. The provision in ESEA section 1117(c)(2)(A) that authorizes CDE to reserve Title I, Part A funds to reward a Title I school that (1) significantly closed the achievement gap between subgroups in the school; or (2) has exceeded AYP for two or more consecutive years. CDE requests this waiver so that it may use funds reserved under ESEA section 1117(c)(2)(A) to reward any deserving school irrespective of these criteria.

District 11 Title I staff approve this waiver request.

8. The requirements in ESEA section 2141(a)-(c) for an LEA and SEA to comply with certain requirements for improvement plans regarding highly qualified teachers. CDE requests this waiver to allow it and its LEAs to focus on developing and implementing more meaningful evaluation and support systems for educators.

District 11 Title I staff approve this waiver request.

9. The requirements of ESEA section 3122(a) that prescribe how CDE must establish annual measurable achievement objectives tied to English language proficiency, English language attainment, and content proficiency among English language learners. CDE requests this waiver so that it may develop its own ambitious but achievable goals for English language attainments and ELL content proficiency.

District 11 Title I staff approve this waiver request.

10. The limitations in ESEA section 6123 that limit the amount of funds an SEA or LEA may transfer between certain ESEA programs. CDE requests this waiver so that it and its LEAs may transfer up to 100 percent of the funds it receives under the authorized programs among those programs and into Title I, Part A.

District 11 Title I staff approve this waiver request.

11. The requirements in ESEA section 1003(g)(4) and the definition of a Tier I school in Section I.A.3 of the School Improvement Grants (SIG) final requirements. CDE requests this waiver so that it may award SIG funds to an LEA to implement one of the four SIG models in any of the State's priority schools.

District 11 Title I staff approve this waiver request.

**Dake, Nicole**

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**From:** Wilson, Jerry - SSC [jerryw@psdschools.org]  
**Sent:** Friday, October 28, 2011 9:14 AM  
**To:** Miller, Cheryl  
**Subject:** Comment: Education Act Waiver Request

Dear Commissioner Hammond,

As the superintendent of Poudre School District, a P-12 district of 27,000 students, I am writing to endorse the waiver request outlined by the Colorado Department of Education. The proposed waiver would accomplish several important accountability goals. First, the waiver provides one point of focus on state accountability instead of a dual system. With the development of the Colorado Growth Model and the performance frameworks, the district has strong tools to align student performance that will create alignment to close achievement gaps. Second, it would abandon the AYP model in NCLB since even with state harbor mechanisms, it had too many targets for improvement and is based on a simple binary consideration for improvement: met or not met. Third, if permitted to move forward under the waiver, Colorado has the potential to merge key state accountability provisions, CAP4K, Accountability Act, Concurrent Enrollment Act, and Educator Effectiveness under the mantle of federal programs. Additionally, I particularly favor the 15% set aside of Title I funds with the allowance to use set aside funds to cover expanded learning opportunities. This flexibility is needed to close achievement gaps.

For the reasons listed above, I strongly endorse the proposed Colorado waiver of the rules in ESEA.

Sincerely,

Jerry Wilson, Ph.D.  
Superintendent of Schools  
Poudre School District  
2407 LaPorte Ave.  
Fort Collins, CO 80521  
970-490-3607

## Dake, Nicole

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**From:** Jackie Kapushion [kapushionj@mapleton.us]  
**Sent:** Tuesday, October 25, 2011 4:40 PM  
**To:** Miller, Cheryl  
**Cc:** Chapman, Pat  
**Subject:** ESEA Waivers

Cheryl,

I have been reviewing CDE's ESEA Waiver Request. I'm interested to hear about any "unintended consequences" to LEAs that CDE might have thought of in recent weeks. Is there anything substantial that stood out that we should know about for Mapleton?

Jackie

Jackie Kapushion  
Assistant Superintendent  
Mapleton Public Schools  
303-853-1014

**Dake, Nicole**

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**From:** Judy Haptonstall [jhaptonstall@rfsd.k12.co.us]  
**Sent:** Monday, October 31, 2011 12:29 PM  
**To:** Miller, Cheryl  
**Subject:** Comments on waiver requests

1. Support but would like CDE to consider how to address ELL students who come to our schools without literacy in their native language and, within the new guidelines recognize that English proficiency is not attained in a few months or one year. When expectations are impossible to meet it undermines the belief in the system.

2. Support

3. Support

4. Support

5. Support

6. Support

7. Support

8. Support

9. Support with the same comments as for #1. Ambitious is critical, but so is attainable.

10. Support

11. Support

I don't see the option on the document but I understand that the State Board would like to keep the set asides for school choice and supplemental services. Please consider some flexibility with that in terms of the size of districts and the capacity they have to provide supplemental services themselves. We have had only one student in six years select either option.

Thanks for your work on these waivers!  
Judy Haptonstall  
Superintendent  
Roaring Fork School District

## Dake, Nicole

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**From:** Miller, Cheryl  
**Sent:** Monday, November 07, 2011 3:29 PM  
**To:** Dake, Nicole  
**Subject:** FW: Waivers comments  
**Attachments:** ESEA waivers\_comments\_quintanilla 111107.docx

### **Cheryl R. Miller, J.D.**

Office of Federal Program Administration  
Colorado Department of Education  
1560 Broadway, Suite 1450  
Denver, CO 80202  
Phone: 303-866-6214  
Fax: 303-866-6637  
[miller\\_c@cde.state.co.us](mailto:miller_c@cde.state.co.us)

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**From:** Roger Quintanilla [mailto:[roger.quintanilla@thompsonschoools.org](mailto:roger.quintanilla@thompsonschoools.org)]  
**Sent:** Monday, November 07, 2011 3:26 PM  
**To:** Miller, Cheryl  
**Subject:** Waivers comments

FYI

See - Plan - Act - Refine- Communicate  
Tim Brown

Roger Quintanilla  
Title IA Coordinator  
Learning Services Thompson R2-J  
(970) 613-5093 (vox) 5089 (fax)

<http://thompsonblogs.org/title1/>

November 11, 2011

**RE: Notice Inviting Public Comment – CO ESEA Waiver Request**

**Specifically, what requirements will Colorado propose to be waived?**

CDE will submit a comprehensive waiver package to the USDE that will enable Colorado to use state-established school and district accountability criteria to meet federal requirements. CDE will request waivers of the eleven ESEA requirements listed below and their associated regulatory, administrative, and reporting requirements

1. The requirements in ESEA section 1111(b)(2)(E)-(H) that prescribe how CDE must establish annual measurable objectives (AMOs) for determining adequate yearly progress (AYP) to ensure that all students meet or exceed the State's proficient level of academic achievement on the State's assessments in reading/language arts and mathematics no later than the end of the 2013–2014 school year. CDE requests this waiver to develop new ambitious, but achievable AMOs in reading/language arts and mathematics in order to provide meaningful goals that are used to guide and support improvement efforts for the State, LEAs, schools, and student subgroups.

*No comment save the important focus on reading, writing and math still skews scheduling and resources away from the arts, humanities and generally the sciences.*

2. The requirements in ESEA section 1116(b) for an LEA to identify for improvement, corrective action, or restructuring, as appropriate, a Title I school that fails, for two consecutive years or more, to make AYP, and for a school so identified and its LEA to take certain improvement actions. CDE requests this waiver so that an LEA and its Title I schools need not comply with these requirements.

*No comment. My assumption is that School Performance Frameworks will replace AYP. At this time, only three of seven title schools stand in "improvement" status.*

3. The requirements in ESEA section 1116(c) for CDE to identify for improvement or corrective action, as appropriate, an LEA that, for two consecutive years or more, fails to make AYP, and for an LEA so identified and CDE to take certain improvement actions. CDE requests this waiver so that it need not comply with these requirements with respect to its LEAs.

*No comment. My assumption is that School Performance Frameworks will replace AYP.*

4. The requirements in ESEA sections 6213(b) and 6224(e) that limit participation in, and use of funds under the Small, Rural School Achievement (SRSA) and Rural and Low-Income School (RLIS) programs based on whether an LEA has made AYP and is complying with the requirements of ESEA section 1116. CDE requests this waiver so that an LEA that receives SRSA or RLIS funds may use those funds for any authorized purpose regardless of the LEA's AYP status.

*N.A. this district.*

Quintanilla 111107

5. The requirement in ESEA section 1114(a)(1) that a school have a poverty percentage of 40 percent or more in order to operate a schoolwide program. CDE requests this waiver so that an LEA may implement interventions consistent with the turnaround principles or interventions that are based on the needs of the students in the school and are designed to enhance the entire educational program in a school, even if those schools do not the 40 percent poverty threshold.

*CDE seems to be moving away from the civil rights era intent to directly and explicitly deal with poverty. This only plays into to the hands of political candidates who do not even mention the growing face of poverty, but who instead press for “flexibility” that could reduce their support of the most needy by poverty schools.*

6. The requirement in ESEA section 1003(a) for an SEA to distribute funds reserved under that section only to LEAs with schools identified for improvement, corrective action, or restructuring. CDE requests this waiver so that it may allocate section 1003(a) funds to its LEAs in order to serve any of the State’s priority and focus schools.

*No comment, though some redirection of funds away from schools of poverty could occur.*

7. The provision in ESEA section 1117(c)(2)(A) that authorizes CDE to reserve Title I, Part A funds to reward a Title I school that (1) significantly closed the achievement gap between subgroups in the school; or (2) has exceeded AYP for two or more consecutive years. CDE requests this waiver so that it may use funds reserved under ESEA section 1117(c)(2)(A) to reward any deserving school irrespective of these criteria.

*The ESEA regulations are clear that such funds for such recognition is intended to highlight “positive deviance” in high needs schools.*

8. The requirements in ESEA section 2141(a)-(c) for an LEA and SEA to comply with certain requirements for improvement plans regarding highly qualified teachers. CDE requests this waiver to allow it and its LEAs to focus on developing and implementing more meaningful evaluation and support systems for educators.

*No comment. My assumption is that an equitable and manageable evaluation system will be built.*

9. The requirements of ESEA section 3122(a) that prescribe how CDE must establish annual measurable achievement objectives tied to English language proficiency, English language attainment, and content proficiency among English language learners. CDE requests this waiver so that it may develop its own ambitious but achievable goals for English language attainments and ELL content proficiency.

*This is a difficult waiver to consider. A change in “more meaningful evaluation and support” that helps ELA students reach the 3<sup>rd</sup> AMAO, AYP, would be welcome. What could CDE help LEAs do to get high ELA growth and achievement in reading, writing and math?*

10. The limitations in ESEA section 6123 that limit the amount of funds an SEA or LEA may transfer between certain ESEA programs. CDE requests this waiver so that it and its LEAs may transfer up to

100 percent of the funds it receives under the authorized programs among those programs and into Title I, Part A.

*This seems problematic; it is like adding more time, here, more money, to learning needs without pressing for better use of time, or funds, already available.*

11. The requirements in ESEA section 1003(g)(4) and the definition of a Tier I school in Section I.A.3 of the School Improvement Grants (SIG) final requirements. CDE requests this waiver so that it may award SIG funds to an LEA to implement one of the four SIG models in any of the State's priority schools.

*No comment save the "flexibility" to direct funds away from a "non-title" school could dilute the intent of Title IA to address schools and communities of poverty.*

Thank you for the opportunity to comment on the ESEA waivers. Perhaps the Senate and House will reach consensus on reauthorization before these waivers are approved or take effect.

Regards,

Roger Quintanilla  
Title IA Coordinator  
Thompson Schools

## Dake, Nicole

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**From:** Miller, Cheryl  
**Sent:** Monday, November 07, 2011 9:02 PM  
**To:** Dake, Nicole  
**Subject:** FW: waiver comments

**Cheryl R. Miller, J.D.**

Office of Federal Program Administration  
Colorado Department of Education  
1560 Broadway, Suite 1450  
Denver, CO 80202  
Phone: 303-866-6214  
Fax: 303-866-6637  
[miller\\_c@cde.state.co.us](mailto:miller_c@cde.state.co.us)

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**From:** Tammy L. Stewart [Tammy.Stewart@adams12.org]  
**Sent:** Monday, November 07, 2011 3:35 PM  
**To:** Miller, Cheryl  
**Subject:** waiver comments

Cheryl,

In reading the waiver, it looks to me that CDE is requesting to waive the percentage of FRL students needed to qualify for Title I, A funds. This is in opposition to the intent of Title I, A funds which is to serve "high-poverty schools and districts and used to provide educational services to students who are educationally disadvantaged or at risk of failing or meet state standards." If this means that schools that do not meet the %40 FRL criteria would qualify for Title I, A funds, then Adams 12 would be opposed to such a waiver. Adams 12 feels that the intent and purpose to serve high poverty schools must remain intact.

Additionally, since the 20% set-aside for Title Choice and SES has not demonstrated that it works to serve students, Adams 12 would like CDE to request a waiver so that these funds may be used for research based practices in extending the school day in a way that would serve students in increased achievement results. SES and Choice require that 20% of our Title I funds be set aside, but in Adams 12, and in many other districts that I read about, the funds are not used and the effectiveness of these programs has not shown to be worth the amount of money set aside. Adams 12 would be in favor of using the funds for extending the day in another way that is supported by research.

Thank you,

Tammy Stewart  
Title Director, Federal Programs

## Dake, Nicole

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**From:** Miller, Cheryl  
**Sent:** Monday, November 07, 2011 9:03 PM  
**To:** Dake, Nicole  
**Subject:** FW: Response to ESEA waiver

here is another one

### **Cheryl R. Miller, J.D.**

Office of Federal Program Administration  
Colorado Department of Education  
1560 Broadway, Suite 1450  
Denver, CO 80202  
Phone: 303-866-6214  
Fax: 303-866-6637  
[miller\\_c@cde.state.co.us](mailto:miller_c@cde.state.co.us)

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**From:** Abram Stephanie M [SABRAM@jeffco.k12.co.us]  
**Sent:** Monday, November 07, 2011 4:03 PM  
**To:** Miller, Cheryl  
**Cc:** Eaton Carol; Reyes-Quinonez Linda M.; Bridges Robin K.  
**Subject:** Response to ESEA waiver

Cheryl,

In response to the ESEA waiver that the State of Colorado is submitting. We would like to offer the following comments:

1. The State is requesting a waiver on ESEA section 1116(b) around identification of LEAs for improvement or corrective action as is currently defined by AYP. This change would significantly limit the flexibility of using Title I funds to support professional development/improvement activities at the District level. As a District, there have been some signs of overall improvement, however, we still have identified performance challenges. Jeffco is currently classified as a District in Corrective Action, therefore we are able to utilize our Title IA funds to support district-wide improvement efforts. Without this flexibility, we believe systemic improvement strategies will not be implemented with fidelity. We're not opposed to the suggested change, although, we are concerned that this could impact our ability to improve student achievement.
2. Our second comment is around the implementation of the proposed waivers. Should they be accepted, Districts will need a workable timeframe for implementing these changes as they will have impact across multiple areas throughout the District. We request that ample time is allowed for planning and implementation so that the changes can be appropriately implemented. If LEAs do not learn of the changes until Spring 2012, our ability to implement for the 2012-2013 school year would be dramatically impacted or eliminated with such shortened notice. That timeframe would also affect our ability to follow CDE directed practices, such as:
  - Strategic planning of district and school resources
  - Appropriate and timely communication to the community/parents/stakeholders
  - Presentation and approval of proposed changes to the Board of Education

We appreciate the opportunity to provide input and feedback on the waiver. We are encouraged that the proposed waiver would simplify accountability reporting into a single stakeholder communication.

Thank you for your consideration in this matter.

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### **Stephanie Abram**

Director, Budget & Planning - Division of Instruction  
Jeffco Public Schools  
1829 Denver West Drive, Bldg 27 | Golden, CO 80401  
Ph 303.982.6837 | Fax 303.982.6506 | [sabram@jeffco.k12.co.us](mailto:sabram@jeffco.k12.co.us)

Comments from Jobs for the Future

To: Pat Chapman  
Kirsti O'Connell

**Hegéle, Nancy**

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**From:** Diane Ward [dward@jff.org]  
**Sent:** Friday, October 28, 2011 1:18 PM  
**To:** Hammond, Robert  
**Cc:** Jason Quiara  
**Subject:** JFF Recommendations for NCLB Waivers  
**Attachments:** CO NCLB Waiver.pdf; ATT00001..htm

Nanci Barkis  
Janelle Brown

Pat/Kirsti - Advice on  
Should we go as  
organization

Dear Commissioner Hammond:

I was delighted to hear that the Colorado Department of Education will be working with the Department of Higher Education and Jobs for the Future on our Early College Designs Policy Initiative. We are eager to begin this exciting work. To that end, I have attached a memo which contains a list of recommendations that we hope will **inform your decision making as you proceed with the Department's application to seek ESEA Flexibility.** Please feel free to contact me if JFF can be of any further assistance on this issue.

Best regards,  
Diane Ward

**Diane S. Ward**  
Director of State Education Policy  
High School through College  
Jobs for the Future  
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Boston , MA 02110  
617.728.4446 x160  
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[www.jff.org](http://www.jff.org)



## **JOBS FOR THE FUTURE**

To: Robert Hammond, Commissioner of Education  
From: Jobs for the Future  
Date: October 28, 2011  
Subject: NCLB Waiver Recommendations

The Colorado Department of Education's decision to request a waiver from specific provisions of the No Child Left Behind Act of 2001 provides the state with an opportunity to build upon CDE's Statewide System of Accountability and Support to advance state efforts to promote policies that support early college designs as a strategy to raise college readiness rates.

As part of our agreement to advise state partners in the Early College Designs Policy Initiative, this memo provides a list of recommendations that we believe will enhance the state's ability to rate the performance of schools, support access to college-level courses and other accelerated learning options such as early college designs and inform reauthorization of the Elementary and Secondary Education Act (ESEA).

Under the U.S. Department of Education's ESEA principles of flexibility released last month, states are required to establish a differentiated recognition, accountability and support system that give credit for progress towards college- and career-readiness.

Research has shown the successful completion of meaningful college courses in high school is a predictive indicator of college success and the benefits appear to be greater for students typically underrepresented in college. As such, the following recommendations align with and support next generation state accountability systems that are based on a goal of college and career readiness for all students.

- Broaden the definition used to calculate Adequate Yearly Progress (AYP) to include multiple measures of student performance.
- Set goals across all subgroups, including students in back on track alternative schools, for college course completion by high school students through dual enrollment, Advanced Placement and International Baccalaureate.
- Track and report on student success in college course completion.
- Require districts to disaggregate student performance by college course option (dual credit, AP, IB) and by subgroups that include income and race/ethnicity.
- Offer incentives to schools and districts through special recognition or other rewards for meeting goals or showing improvement on measures of college-course completion.

- Provide enhanced incentives for schools and districts that show success in helping underserved students to complete college courses.

In order to receive flexibility, states will also be required to link student level K-12 data with similar data from their postsecondary systems to report annually on the college-going and college-credit accumulation rates for all students and subgroups of students by 2014-15. The inclusion of college course completion in high school in this framework will provide districts and states with a more complete multi-dimensional picture of high school success.

Comments from The College Board

**Dake, Nicole**

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**From:** Miller, Cheryl  
**Sent:** Monday, November 07, 2011 3:30 PM  
**To:** Dake, Nicole  
**Subject:** FW: College Board Letter-ESEA Waiver Public Comment  
**Attachments:** CO ESEA Waiver Public Comment Ltr.doc

**Cheryl R. Miller, J.D.**

Office of Federal Program Administration  
Colorado Department of Education  
1560 Broadway, Suite 1450  
Denver, CO 80202  
Phone: 303-866-6214  
Fax: 303-866-6637  
[miller\\_c@cde.state.co.us](mailto:miller_c@cde.state.co.us)

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**From:** Whitney, Terry [mailto:[twhitney@collegeboard.org](mailto:twhitney@collegeboard.org)]  
**Sent:** Monday, November 07, 2011 3:29 PM  
**To:** Miller, Cheryl  
**Cc:** Cassity, Anita; McCue, Stephen; Williams-Hamp, Sandra; Mijares, Al  
**Subject:** College Board Letter-ESEA Waiver Public Comment

November 7, 2011

Colorado Department of Education  
201 E. Colfax Avenue  
Denver, CO 80203

Dear Cheryl Miller:

The College Board extends its strong support to the Colorado Department of Education's (CDE) in its request for an Elementary and Secondary Education Act (ESEA) waiver under Secretary Duncan's invitation and authority. Colorado has demonstrated a propensity to be a national leader in educational reforms at the Pre-K and K-12 levels with the adoption of the Colorado Achievement Plan for Kids, concurrent enrollment, and the educator effectiveness bill of 2010 to highlight a few pieces of legislation.

We particularly applaud CDE placing a greater emphasis on career and college readiness as opposed to proficiency toward NCLB requirements.

Specifically, we would like to provide the following observations:

- 1) Page 20 cites two initiatives to expand access to postsecondary coursework: the State's concurrent enrollment and ASCENT programs.

Comment: We suggest that Advanced Placement (AP) be included as an additional example of Colorado's pioneering efforts to increase student access to college-level coursework.

Through the efforts of many across the state, including the Colorado Legacy Foundation, the State has achieved a significant expansion in both AP participation and performance over the last five years. The College Board through its ongoing partnership with the National Math and Science Initiative has lent its support to the first cohort of schools in the High Poverty High Mobility AP Initiative being directed by Samantha Long. We continue to partner around fundraising opportunities to fully sustain the Initiative and to impart information we receive from NMSI's six state initiatives.

- 2) Pages 25 & 37 note that, "the Postsecondary and Workforce Readiness indicator includes school graduation rates, drop-out rates and composite ACT scores, as these are relatively direct measures of college and career readiness."

Comment: We suggest that Advanced Placement (AP) be considered as an additional metric for postsecondary and workforce readiness because it is a proven measure of college readiness. Research has shown that students who pass an AP exam are three times more likely to complete college. Research has shown that students who pass an AP exam are three times more likely to complete college. A number of states (including Georgia, Florida, New Mexico, Indiana and Oklahoma) have developed or are developing school performance frameworks that incorporate additional measures of postsecondary readiness, including access to AP or other postsecondary coursework.

Data supporting the positive academic impact of AP is well known. However, less has been written about the program's potential impact for historically underachieving students. According to educational researcher David Conley, "benefits of AP seem to be greatest for students from groups historically underrepresented in higher education."

3) Page 37

For the ACT measure, a school or district *does not meet* expectations if its average composite score is below 17, is *approaching* expectations if its average composite score is at or above 17, *meets* expectations at or above the state average and *exceeds* expectations at or above 22.

Comment: The state average is not an acceptable measure of college/career readiness. Schools should not be given credit for meeting college/career readiness metric if they meet the state average – they should have to meet the benchmark. Also, this references composite scores, but ACT benchmarks are by subject

AP (IB/dual enrollment etc) could be a viable indicator in this area with differing levels of participation/performance for the varying categories. The state could determine the percent of students earning a 3 or higher in the cohort that would qualify for each level. For example, using data in College Board's 2011 Advanced Placement Report to the Nation, the following categories could be designated:

Does not meet: if at least 11% graduating class scores 3 or higher on an AP exam/IB exam or earns 3 hours of college credit through dual enrollment,

Approaching: if at least 16% of graduating class scores 3 or higher on an AP exam/IB exam or earns 3 hours of college credit through dual enrollment,

Meets expectation: if at least 21% of graduating class scores 3 or higher on an AP exam/IB exam or earns 3 hours of college credit through dual enrollment (CO % as a state),

Exceeds expectation: if 26% or more of graduating class scores 3 or higher on an AP exam/IB exam or earns 3 hours of college credit through dual enrollment (highest state percentage in country),

Accordingly, if AP were to be included, then a corresponding percentage participation rate could be used as well.

We thank you for the opportunity to offer these comments. From our perspective we share Conley's contention that, "the U.S. Department of Education's efforts to develop common core standards and a new generation of assessments that capture broader and deeper information on student performance are motivated in some large measure by the goal of transforming the U.S. education system so that it becomes more effective at preparing all students to continue learning beyond high school."

The College Board  
Western Regional Office  
55 Gateway Dr, Suite 550  
San Jose, CA.

## Comments from Colorado Educators

### Dake, Nicole

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**From:** Mary Ellen Good [meg@cbooces.org]  
**Sent:** Tuesday, October 25, 2011 1:01 PM  
**To:** Miller, Cheryl  
**Subject:** suggestion

Hi Cheryl,

5. The requirement in ESEA section 1114(a)(1) that a school have a poverty percentage of 40 percent or more in order to operate a schoolwide program. CDE requests this waiver so that an LEA may implement interventions consistent with the turnaround principles or interventions that are based on the needs of the students in the school and are designed to enhance the entire educational program in a school, **even if those schools do not the 40 percent poverty threshold.**

**Suggest adding the word "meet" – even if those schools do not meet the 40 percent poverty threshold.**

Mary Ellen Good

~~~~~

Dake, Nicole

From: Marta Smith [MSmith@gunnisonschools.net]
Sent: Thursday, October 27, 2011 11:04 PM
To: Miller, Cheryl
Subject: FW: ESEA Waivers "No Child Left Behind"
Attachments: ESEA waivers notice inviting public comment 10 24.docx

Importance: High

CDE, I am writing in response to the ESEA Waiver comment request.

My comment is simplistic in that I firmly believe that AYP is really detrimental to a community. Gunnison is a small town in rural Colorado that has an increased number of ELL students who are new English speakers. The only population that consistently fails to meet AYP is ELL. When our principals send the "Choice" letter home to families telling them that Crested Butte (neighboring town - same school district) is a better school than Gunnison, people get really grumpy!! John Condi once told me that we have to stop sugar coating the truth. He stated that we really need to tell community member what is happening. And while I do agree with him, I also wonder why we would ever think that students who do not know English would possibly do well on a state mandated standardized test. We are trying to teach these children the word for bathroom and then wonder why they are not "proficient" on the CSAP. The system is absurd and frankly takes a lot of energy that could be used in a much more effective way.

I support a waiver that allows common sense to prevail in terms of looking at student achievement.

*Marta Smith
Director of Special Services
Gunnison and Hinsdale School Districts
800 North Boulevard Street
Gunnison, Colorado 81230
970-641-7750 ~ Office
970-641-7777 ~ Fax*

Dake, Nicole

From: Julie Doro [julie.doro@dcsdk12.org]
Sent: Friday, October 28, 2011 4:17 PM
To: Miller, Cheryl
Subject: Feedback on NCLB waiver - my 2¢

Colorado should adhere to federal reporting and accountability guidelines. In our increasingly mobile society, students transferring from one state to another need to be able to have meaningful data travel with them.

NCLB stinks - to out it mildly - yet it still offers the opportunity to compare student's academic achievements between states. THIS has value. Don't throw the baby out with the bathwater,

--

Julie Doro
7 Blue Math

"For the things of this world cannot be made without a knowledge of mathematics."

~ Roger Bacon (c. 1214–1294), also known as *Doctor Mirabilis* ("wonderful teacher")

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## Dake, Nicole

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**From:** Dodie Schroeder [dodie.schroeder@thompsonschoools.org]  
**Sent:** Sunday, October 30, 2011 4:38 PM  
**To:** Miller, Cheryl  
**Subject:** NCLB

As an elementary teacher in Loveland, Co, I support our state requesting a waiver for NCLB. First of all, I don't need a law to tell me how I already feel about my students. Of course, I don't want to leave any child behind and for there to be a bill about that is absurd to me and always has been. Teachers go in to the professions because they want to make a difference in each and every student's life. When we see a student struggling, we have problem solving teams at each school to discuss and solutions and progress monitoring data. Second, the state makes demands on schools that cost school districts money that we don't really have. It's a costly bill and if you aren't going to give us funding for what you require us to do then get rid of the bill.

Dodie Schroeder  
G/T Namaqua Elementary (970-613-6638)  
Elementary Math TOSA-Admin.  
(613-5096)

**Dake, Nicole**

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**From:** Val Kuhr [Val\_Kuhr@englewood.k12.co.us]  
**Sent:** Sunday, October 30, 2011 8:04 PM  
**To:** Miller, Cheryl  
**Subject:** No Child Left Behind

My comments on No Child Left Behind---if a school is good they are already doing rigorous testing at the beginning, middle, and end of the year, possibly no often. The silly CSAP does not give me information except once a year on my children's status--at best if it several months after the fact. As a teacher, it does not give us information until several months after the fact when the students have moved on. Feedback should be time sensitive. That is my opinion as a parent and a teacher.  
Val Kuhr

~~~~~

Dake, Nicole

From: Jenny Bostrom [REDACTED]
Sent: Monday, October 31, 2011 1:43 PM
To: Miller, Cheryl
Subject: No Child Left Behind Waiver support

Being an educator for almost 17 years I give full support for a waiver to not follow the No Child Left Behind law. It's mandates did more harm than good for all of America's students.
Sincerely, Jennifer Bostrom

Dake, Nicole

From: Burenheide, Patsy [PBurenheide@weldre5j.k12.co.us]
Sent: Friday, November 04, 2011 3:50 PM
To: Miller, Cheryl
Subject: Comments on Waiver

In education we are often rightly accused of being on a pendulum swing, going from one extreme to the other. Using just the growth model and not considering the proficiency grades does just that. Our waiver should strive for a more balanced picture. "Body of evidence" relies on more than one look at a test, or tests, however, the waiver does not include that balance. Where do we find the research to support the adequate yearly progress for each of the different categories of children.

Another concern is the lack of definite guidelines on the evaluation rules for administration and teachers. The ambiguous nature of the waiver seems to allow too much flexibility to develop guidelines by persons outside of education or even more troubling, constant changing of those guidelines. Without a specific plan with delineated rules and steps, how can you ask for support of such a waiver.

In regards to the use of funds, what exactly are the authorized purposes that you are taking money away from in order to serve another agenda? If funds are reauthorized, who will that impact or hurt. Who would have control of those funds, and whose philosophy will decide the usage of those funds?

I would love to have a system that is more parent and educator accessible. I do wish that these reports would take into account the differences in children and their parents. I would like it to not penalize schools, or be used to negatively portray education, but to help strengthen the system.

Patsy Burenheide

Literacy Specialist

Weld RE5j Schools

Comments from Colorado Parents

Dake, Nicole

From: [REDACTED]
Sent: Sunday, November 06, 2011 4:31 PM
To: Miller, Cheryl
Subject: Public Comment on Colorado Waiver Request
Attachments: Comments.docx

Hello,

My personal comments regarding Colorado's request for waivers from the federal Elementary and Secondary Education Act (ESEA) are attached as a Microsoft Word document (comments.docx).

Thank-you for the opportunity to comment,

[REDACTED]

I disagree that the Colorado Growth Model strengthens the state's ability to gauge students' progress toward proficiency. The Colorado Growth Model compares a student's state standardized test scores only against other students with similar scores. If all low performing students were totally ignored and made minimal growth, this whole group would still have the whole range of growth scores from zero to ninety-ninth percentiles. This would be true even if all their scores dropped. Reporting of the growth needed for catch-up, keep-up, and move-up has value, but only if that information is acted upon.

SchoolView is valuable only for judging how a medium-achieving and medium-growing student performed. Parents do not know how close their child's score is to the median. Parents have no way to judge how a school is performing with either low achieving or high achieving students. There is no indication of the distribution of achievement or growth scores. This gives schools incentive to target interventions, not to the lowest achieving students, but to those whose growth is slightly below the median or higher. It also encourages schools to recruit high achieving students to choice in while encouraging their low achieving students to choice out. Colorado public schools can and do play these games.

The Colorado Growth Model lacks transparency. The growth calculation is unnecessarily convoluted and difficult to interpret. Information such as how many students were in each score bin, how many bins there are, how bins are determined, what the range of scores are for each bin, etc. are not made public. Also, growth scores can only be calculated for students in grades 4-10 who have attended Colorado public schools for two consecutive years. A more transparent alternative would be to report the student's percentile ranking for grade-level peers within the state. This would be more easily understood by parents and the public. A parent could then judge if their child's percentile ranking increased or decreased, could easily understand where their child ranks against peers within the state, and could have a basis with which to judge their child's CSAP scores compared to scores by the same child on other standardized tests.

A further problem with the current system of standardized testing in Colorado is the long delay between administration of the test and the receipt of scores by schools and parents. A lag of six months or even more is usual. The reporting delay causes unreasonable delay in implementing academic interventions for students if they are warranted. The reporting delay does not allow teachers to make timely changes to their teaching strategies if that is warranted.

Alignment of the state and federal standards is reasonable, but only if the state standards are as stringent as the federal standards or are higher. The state has already had many years to develop stronger programs to ensure that all students become adults who can at least read, write, and do basic mathematics. The educational needs of many students are currently not being met in Colorado. This is particularly true for students who persistently score below proficiency. Many of these students have never been evaluated for learning disabilities despite years of scoring below proficiency. Placing these students in years of one-size-fits-all remedial reading or math courses is common and often does not meet their individual needs. Simply moving the standards target accomplishes little. To excuse schools from, at a minimum, meeting the federal requirements for all students is unreasonable. If the federal

requirements and incentives are not enforced, then how does Colorado plan to provide incentives for low-performing schools to improve?

It is unwise to relieve Colorado from the requirement to have a highly qualified teacher in every classroom. School districts and teachers have already had many years to bring their training up to these standards

The request to spend money for turnaround programs regardless of whether a school meets the arbitrary value of 40 percent of students in poverty is reasonable and is needed.

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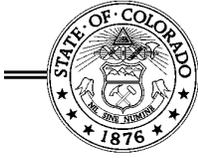
**Dake, Nicole**

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**From:** [REDACTED]  
**Sent:** Monday, October 31, 2011 4:28 PM  
**To:** Miller, Cheryl  
**Subject:** feedback on No Child Left Behind

I have a third grader and an eighth grader in the Poudre School District in Fort Collins, CO. We moved here from Texas 4 years ago. I 100% support requesting a waiver from the No Child Left Behind Act. That act is a joke and has meant teaching to take tests rather than get a legitimate, valuable, education.

[REDACTED]



## COLORADO DEPARTMENT OF EDUCATION

1560 Broadway, Suite 1450 • Denver, Colorado 80202-5149  
303.866.6600 • www.cde.state.co.us

**Robert K. Hammond**  
Commissioner of Education

**Diana Sirko, Ph.D.**  
Deputy Commissioner

**Keith Owen, Ph.D.**  
Associate Commissioner

September 12, 2011

### Elementary and Secondary Education Act Waiver Consideration

No Child Left Behind (NCLB), the current iteration of the federal Elementary and Secondary Education Act (ESEA), has served as a catalyst for constructive debate and action on educational issues such as school and district performance, teacher quality, English language acquisition, and choice options for students. However, Congress has failed to act on the long overdue reauthorization of ESEA. Significant NCLB provisions have now become outdated and the constraints of the law prevent many from moving innovative strategies for improvement forward. Because of the delay in reauthorization, Secretary of Education Duncan has made clear his intent to consider waivers to ESEA provisions and requirements that were previously considered out of bounds. The Colorado Department of Education (CDE) believes we should take advantage of this opportunity and asks for the support of the State Board of Education (SBE) in making this request.

In recent years, the SBE, CDE, and Colorado's General Assembly have taken steps to significantly reform Colorado's system of accountability for schools and districts. Some examples include:

- The Colorado Growth Model that strengthens our ability to gauge students' progress toward proficiency
- U.S. Department of Education approval to use Colorado's Growth Model as an additional method to identify schools and districts for Title I Improvement
- Enactment of CAP4K, SB08- 212, that resulted in leaner, clearer standards and a more comprehensive assessment system focused on college- and career- readiness
- Enactment of the Education Accountability Act of 2009, SB09- 163, which established performance frameworks for the annual evaluation of school and district performance and timelines for improvement, and created alignments between the state and federal accountability systems
- The launching of [SchoolView](#), a web portal that provides parents, educators, and the general public with access to a wealth of information regarding school and district performance
- Development of the Unified Improvement Planning template, a tool that aligns state and federal improvement planning requirements into a single document
- Enactment of SB10- 191, which will help to ensure that every building has a strong leader and every classroom has an effective teacher

In creating and implementing these reforms, the SBE, CDE, and state legislature have gone to great lengths to maximize the alignment of the state and federal systems of accountability. However, Colorado continues to implement a dual accountability system consisting of:

- Two sets of criteria – state and federal - that are used to assess school and district performance
- Schools and districts that are identified as in need of improvement under one system but not the other
- Two sets of labels, timelines and consequences for schools and districts identified for Improvement
- Mixed messages to students, parents, and educators regarding school and district performance
- Choices options for students in some underperforming schools but not in others
- An inability to target resources to the schools and districts that most need them
- Unnecessary, duplicative., and wasteful administrative burdens on schools, districts, and the state

For these reasons, CDE proposes to submit a comprehensive waiver package to the U.S. Department of Education (USDE) that replaces most of NCLB's school and district accountability requirements with Colorado's accountability system. Specifically, CDE will request permission to:

- **Section 1111** - Replace NCLB adequate yearly progress with modified state school and district performance frameworks
- **Section 3122** – Replace Title III annual measurable achievement objectives with State measures of progress toward English language attainment
- **Section 1116** – Use state accreditation rules instead of NCLB school and district improvement consequences and timelines, and expand choice options to non-Title I schools
- **Section 1003 (a) and (g)** - Target NCLB school improvement resources to schools and districts identified by the state as among the lowest performing 15%, regardless of Title I status
- **Section 2123(a) and (b) and EDGAR 76.700** – Use Title II, Part A funds in support of the development and implementation of an educator evaluation system that focuses on increasing educator effectiveness

## Comparison of ESEA and State Accountability Requirements

|                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>ESEA</b>                                                                                                                                                                                                                    | <b>State System</b>                                                                                                                                                                                                                                                                       | <b>Proposed</b>                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| <b>Goal</b>                                                                                                                                                                                                                                                                                                                                                                                                                          | All students proficient in reading and math by 2013-14                                                                                                                                                                         | All students on track for proficiency by 10 <sup>th</sup> grade and college- and career-- ready by exit                                                                                                                                                                                   | All students on track for proficiency by 10 <sup>th</sup> grade and college- and career-- ready by exit                               |
| <b>Student target for accountability</b>                                                                                                                                                                                                                                                                                                                                                                                             | Partially proficient or above                                                                                                                                                                                                  | Proficient and above                                                                                                                                                                                                                                                                      | Proficient and above                                                                                                                  |
| <b>Assessment of school/district performance criteria</b>                                                                                                                                                                                                                                                                                                                                                                            | Adequate yearly progress<br><br>Weights status over growth, considers few indicators outside of status, comprehensively disaggregates performance by student groups, considers English language proficiency - Pass/Fail system | School and district performance frameworks<br><br>Weights growth and college/career readiness over status, considers indicators outside of status, Disaggregates performance by student groups in growth. Rating system with four possible ratings for each indicator and four plan types | Modified school/ district performance frameworks*                                                                                     |
| <b>School and district improvement</b>                                                                                                                                                                                                                                                                                                                                                                                               | NCLB, Sec. 1116                                                                                                                                                                                                                | SB9- 163/SB Rules                                                                                                                                                                                                                                                                         | SB9- 163/SB9-163 Rules                                                                                                                |
| <b>Choices for students in schools identified for Improvement</b>                                                                                                                                                                                                                                                                                                                                                                    | Public School Choice Transportation and Supplemental Educations Services paid for by Title I                                                                                                                                   | State law provides for intra- and inter-district school choice                                                                                                                                                                                                                            | State law and School Choice Transportation and Supplemental Educational Services paid for by Title I                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>ESEA</b>                                                                                                                                                                                                                    | <b>State System</b>                                                                                                                                                                                                                                                                       | <b>Proposed</b>                                                                                                                       |
| <b>Funds for schools and districts identified for improvement</b>                                                                                                                                                                                                                                                                                                                                                                    | Approximately \$11 million annually in Title I school improvement funds to support schools and districts identified for Title I Improvement                                                                                    | Provides no funds for schools and districts identified for Improvement                                                                                                                                                                                                                    | Allow Title I school improvement funds to flow to schools and districts identified for Improvement using state performance frameworks |
| <b>Funds for educator evaluation system</b>                                                                                                                                                                                                                                                                                                                                                                                          | Approximately \$26 million in NCLB Title II funds                                                                                                                                                                              | Provides no additional funds for school and district implementation                                                                                                                                                                                                                       | Allow state and local Title II funds to be used in support of the development and implementation of educator evaluation systems       |
| <p>*School and district performance frameworks will be evaluated and strengthened to:</p> <ul style="list-style-type: none"> <li>• Ensure proper weighting and rigor across the four performance indicators</li> <li>• Adequately account for academic performance among disaggregated groups of students</li> <li>• Incorporate measures of progress toward English language proficiency among English language learners</li> </ul> |                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                           |                                                                                                                                       |

If granted, the ESEA waivers will affect the number of schools and districts that are identified as in need of improvement. As noted above, without waivers, Colorado must use both state and federal measures to annually assess school and district performance. Some schools and districts are identified for improvement under one system but not by the other – and some are identified for improvement under both systems. With the waivers, Colorado would only use the state’s modified performance frameworks. The table below delineates the number of schools and districts identified by the federal system (NCLB) in the 2010-11 school year as well as the potential impact of the waivers on the number of school and district improvement designations.

| <b>2010-11 school year status (09-10) data</b> | <b>Identified by NCLB Title IA</b> | <b>Total identified without waiver (state and NCLB)</b> | <b>Total that would be identified with waiver (state only)*</b> |
|------------------------------------------------|------------------------------------|---------------------------------------------------------|-----------------------------------------------------------------|
| <b>Schools</b>                                 | 202                                | 372                                                     | 241                                                             |
| <b>Districts</b>                               | 85                                 | 91                                                      | 24                                                              |

*\* Turnaround and Priority Improvement*

By taking advantage of the ESEA waiver opportunity in a strategic manner, Colorado will be able to improve upon the outdated accountability provisions of NCLB and move ahead with an accountability system that more effectively serves the citizens of Colorado. Colorado’s new accountability system will:

- Target college- and career- readiness, not partial proficiency
- Focus on student progress – catch up, keep up, and move up
- Maintain and expand choice options for students in struggling schools
- Focus resources on all schools and districts that most need them
- Cut red tape; streamline and simplify the accountability system
- Reduce administrative costs and burdens for schools and districts and the State
- Be accessible, meaningful and useful to parents and educators

CDE will not move ahead with its waiver request without the support of the Colorado State Board of Education. However, CDE believes Colorado should take advantage of this opportunity and asks for your support.

**Projected timeline for USDE ESEA waiver process**

| Action                                                                                           | Timeline                        |
|--------------------------------------------------------------------------------------------------|---------------------------------|
| CDE internal analysis of the impact and legality of potential waiver requests                    | August to mid-September, 2011   |
| CDE's review potential waiver request with State Board                                           | Early September, 2011           |
| CDE sends summary of potential waiver request to USDE                                            | Early September, 2011           |
| USDE releases call for state ESEA waiver requests                                                | Mid-September, 2011             |
| CDE development of Colorado's waiver request                                                     | September to late October, 2011 |
| CDE sends out notice inviting public and stakeholder comment regarding Colorado's waiver request | Mid-September, 2011             |
| Window for public and stakeholder comment closes                                                 | Mid-October, 2011               |
| CDE submits Colorado's waiver request to USDE                                                    | Late October, 2011              |
| State waiver requests due to USDE                                                                | Late October, 2011              |
| USDE reviews Colorado's waiver request                                                           | November, December, 2011        |
| USDE provides decision on Colorado's waiver request                                              | By December 31, 2011            |
| If approved, CDE begins waiver implementation                                                    | January, 2012                   |

**Thursday, December 10, 2009**  
**State Board of Education Regular Board Meeting 9:00 a.m.**

**1. Call to Order**

The SBE Board Meeting will be called to order

**2. Roll Call**

Elaine Gantz Berman, 1st Congressional District/ Randy DeHoff, 6th Congressional District/ Jane Goff, 7th Congressional District/ Peggy Littleton, 5th Congressional District/Marcia Neal, 3rd Congressional District/ Bob Schaffer, 4th Congressional District/ Angelika Schroeder, 2nd Congressional District

**3. Pledge of Allegiance**

Please stand for the Pledge of Allegiance

**4. Inspirational Message**

A State Board member will provide an inspirational message.

**5. Approval of Agenda**

The State Board will vote to approve the agenda as published.

**6. Consent Agenda**

The State Board will vote to place item 11.14 on the consent agenda.

**7. State Board of Education Reports**

7.01 State Board Member Reports

7.02 Director of SBE Relations Report

**8. Report from the Commissioner**

Commissioner Dwight D. Jones will report on the Department's recent activities. (1.5 hours).

**9. Department of Education Reports**

9.01 Update on the 2009-2010 Colorado Assessment System Review (Jo O'Brien) 20 min.

9.02 Legislative Update (Anne Barkis and Richard Wenning) 20 min.

9.03 Communications Report (Mark Stevens) 5 min.

**10. Lunch - Executive Session**

The State Board will convene an executive session to discuss with its attorney disputes involving the public body that are the subject of pending or imminent court action pursuant to 24-6-402(3)(a)(II) C.R.S.

## **11. Action Items**

- 11.01 Consideration and Adoption of Standards Concerning Drama and Theatre Arts
- 11.02 Consideration and Approval of Standards Concerning Reading, Writing and Communicating.
- 11.03 Consideration and Approval of Standards Concerning Dance.
- 11.04 Consideration and Adoption of Standards Concerning Music
- 11.05 Consideration and Approval of Standards Concerning Comprehensive Health and Physical Education.
- 11.06 Consideration and Approval of Standards Concerning World Languages.
- 11.07 Consideration and Approval of Standards Concerning Visual Arts
- 11.08 Consideration and Approval of Adopting WIDA's English Language Proficiency Standards to Access the Colorado Academic Standards.
- 11.09 Consideration and Approval of Standards Concerning Mathematics
- 11.10 Consideration and Approval of Standards Concerning Science
- 11.11 Consideration and Approval of Standards Concerning Social Studies
- 11.12 Approval of Requests for Initial Emergency Authorizations (Monthly total 6 )
- 11.13 Approval of Requests for Renewal Emergency Authorizations – (Monthly total 2 )
- 11.14 Approval of a Waiver Request from Certain Statutes by the Adams County School District 14 on Behalf of Community Leadership Academy.
- 11.15 Approval of Resolution in Support of Educator Effectiveness

The State Board will discuss and entertain a motion to pass a Resolution entitled Resolution in Support of Educator Effectiveness.

## **12. Timed Items**

- 12.01 1:00 p.m. Rulemaking Hearing on Permanent Rules for the Authorization of Charter Schools as School Food Authorities 1 CCR 301-82
- 12.02 Consider Adoption and Vote on Permanent Rules for the Authorization of Charter Schools as School Food Authorities 1 CCR 301-82.
- 12.03 1:30 p.m. Rulemaking Hearing on the Rules Pertaining to Closing the Achievement Gap.
- 12.04 Consider Adoption and Vote on Rules Pertaining to Closing the Achievement Gap.
- 12.05 2:00 p.m. Rulemaking Hearing on the Rules for the Administration of Individual Career and Academic Plans.
- 12.06 Consider Adoption and Vote on Rules for the Administration of Individual Career and Academic Plans.

**13. Issues and Trends**

- 13.01 2:30 p.m. Recognition of Colorado Distinguished Title I Schools: Stein Elementary School (Jefferson County Public Schools) and La Jara Elementary School (North Conejos RE - 1J School District)
- 13.02 3:00 Gifted Education: State Advisory Committee (SAC) Report to the State Board of Education (Ed Steinberg and Jacquelin Medina) 15 min.

**14. Future Business**

The State Board will discuss any future business.

**15. Archive**

15.01 HPV Resolution by Ms. Littleton

**16. Public Comment**

Members of the public shall have the opportunity to address the State Board.

**17. Adjournment of Regular Board Meeting**

The meeting will be adjourned.

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**Agenda Item Details**

|          |                                                                                              |
|----------|----------------------------------------------------------------------------------------------|
| Meeting  | Dec 10, 2009 - State Board of Education Regular Board Meeting 9:00 a.m.                      |
| Category | 11. Action Items                                                                             |
| Subject  | 11.02 Consideration and Approval of Standards Concerning Reading, Writing and Communicating. |
| Type     | Action                                                                                       |

**Motion & Voting:**

To approve standards concerning reading, writing and communicating.

Motion by Peggy Littleton, second by Marcia Neal.

Final Resolution: Motion Carries

Yea: Elaine Gantz Berman, Randy DeHoff, Jane Goff, Peggy Littleton, Marcia Neal, Bob Schaffer, Angelika Schroeder

### **Agenda Item Details**

Meeting Dec 10, 2009 - State Board of Education Regular Board Meeting 9:00 a.m.  
Category 11. Action Items  
Subject 11.08 Consideration and Approval of Adopting WIDA's English Language Proficiency Standards to Access the Colorado Academic Standards.  
Type Action

#### **Motion & Voting:**

To approve standards concerning English language development.

Motion by Peggy Littleton, second by Randy DeHoff.

Final Resolution: Motion Carries

Yea: Elaine Gantz Berman, Randy DeHoff, Jane Goff, Peggy Littleton, Marcia Neal, Bob Schaffer, Angelika Schroeder

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### **Agenda Item Details**

Meeting Dec 10, 2009 - State Board of Education Regular Board Meeting 9:00 a.m.  
Category 11. Action Items  
Subject 11.09 Consideration and Approval of Standards Concerning Mathematics  
Type Action

#### **Motion & Voting:**

To approve standards concerning Mathematics.

Motion by Randy DeHoff, second by Angelika Schroeder.

Final Resolution: Motion Carries

Yea: Elaine Gantz Berman, Randy DeHoff, Jane Goff, Peggy Littleton, Marcia Neal, Bob Schaffer, Angelika Schroeder

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### **Agenda Item Details**

Meeting Dec 10, 2009 - State Board of Education Regular Board Meeting 9:00 a.m.  
Category 11. Action Items  
Subject 11.09 Consideration and Approval of Standards Concerning Science  
Type Action

#### **Motion & Voting:**

To approve standards concerning science

Motion by Angelika Schroeder, second by Randy DeHoff.

Resolution: Motion Carries

Yea: Elaine Gantz Berman, Randy DeHoff, Jane Goff, Peggy Littleton, Marcia Neal, Bob Schaffer, Angelika Schroeder

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### **Agenda Item Details**

Meeting Dec 10, 2009 - State Board of Education Regular Board Meeting 9:00 a.m.  
Category 11. Action Items  
Subject 11.09 Consideration and Approval of Standards Concerning Social Studies  
Type Action

#### **Motion & Voting:**

To approve standards concerning social studies

Motion by Marcia Neal, second by Jane Goff.

Final Resolution: Motion Carries

Yea: Elaine Gantz Berman, Randy DeHoff, Jane Goff, Peggy Littleton, Marcia Neal, Bob Schaffer, Angelika Schroeder

**Monday, August 2, 2010**  
**State Board of Education Special Meeting 9:30 - 10:30 a.m.**

**1. 9:30 a.m. Call to Order**

**Subject**                    **1.01 The State Board will be called to order.**  
**Meeting**                    Aug 2, 2010 - State Board of Education Special Meeting 9:30 - 10:30 a.m. Category  
                                         1. 9:30 a.m. Call to Order  
**Type**                        Action

**2. Roll Call**

**Subject**                    **2.01 Elaine Gantz Berman, 1st Congressional District/ Randy DeHoff,  
6th Congressional District/ Jane Goff, 7th Congressional District/  
Peggy Littleton, 5th Congressional District/ Marcia Neal, 3rd  
Congressional District/ Bob Schaffer, 4th Congressional District/  
Angelika Schroeder, 2nd Congressional District**  
**Meeting**                    Aug 2, 2010 - State Board of Education Special Meeting 9:30 - 10:30 a.m.  
**Category**                    2. Roll Call  
**Type**                        Action

**3. Action Item**

**Subject**                    **3.01 Vote on the Adoption of the Common Core Standards.**  
**Meeting**                    Aug 2, 2010 - State Board of Education Special Meeting 9:30 - 10:30 a.m.  
**Category**                    3. Action Item  
**Type**                        Action

Recommended The State Board will vote on whether to adopt the common core standards.  
Action

**4. Adjournment of Special Meeting**

### **Agenda Item Details**

|                    |                                                                           |
|--------------------|---------------------------------------------------------------------------|
| Meeting            | Aug 02, 2010 - State Board of Education Special Meeting 9:30 - 10:30 a.m. |
| Category           | 3. Action Item                                                            |
| Subject            | 3.01 Vote on the Adoption of the Common Core Standards.                   |
| Type               | Action                                                                    |
| Recommended Action | The State Board will vote on whether to adopt the common core standards.  |

### **Motion & Voting:**

That the Colorado State Board of Education fully adopt the Common Core Standards as Colorado's academic standards in Mathematics and English Language Arts, to be augmented with existing Colorado academic standards in these subjects, which augmentation will not equate to more than 15% of the total content standards in each subject.

Motion by Randy DeHoff, second by Elaine Gantz Berman.

Final Resolution: Motion Carries

Yea: Elaine Gantz Berman, Randy DeHoff, Jane Goff, Angelika Schroeder

Nay: Peggy Littleton, Marcia Neal, Bob Schaffer

**Memorandum of Understanding  
SMARTER Balanced Assessment Consortium  
Race to the Top Fund Assessment Program:  
Comprehensive Assessment Systems  
Grant Application**

CFDA Number: 84.395B

This Memorandum of Understanding ("MOU") is entered as of **June 11, 2010**, by and between the **SMARTER Balanced Assessment Consortium** (the "Consortium") and the **State of Colorado** which has elected to participate in the Consortium as (check one)

—

\_\_\_\_\_ An **Advisory** State (description in section e),

**OR**

\_\_\_\_\_ A **Governing** State (description in section e),

pursuant to the Notice Inviting Applications for the Race to the Top Fund Assessment Program for the Comprehensive Assessment Systems Grant Application (Category A), henceforth referred to as the "Program," as published in the Federal Register on April 9, 2010 (75 FR18171-18185).

The purpose of this MOU is to

- (a) Describe the Consortium vision and principles,
- (b) Detail the responsibilities of States in the Consortium,
- (c) Detail the responsibilities of the Consortium,
- (d) Describe the management of Consortium funds,
- (e) Describe the governance structure and activities of States in the Consortium,
- (f) Describe State entrance, exit, and status change,
- (g) Describe a plan for identifying existing State barriers, and
- (h) Bind each State in the Consortium to every statement and assurance made in the application through the following signature blocks:

(i)(A) Advisory State Assurance

**OR**

(i)(B) Governing State Assurance

**AND**

(ii) State Procurement Officer

**(a) Consortium Vision and Principles**

The Consortium's priorities for a new generation assessment system are rooted in a concern for the valid, reliable, and fair assessment of the deep disciplinary understanding and higher-order thinking skills that are increasingly demanded by a knowledge-based economy. These priorities are also rooted in a belief that assessment must support ongoing improvements in instruction and learning, and must be useful for all members of the educational enterprise: students, parents, teachers, school administrators, members of the public, and policymakers.

The Consortium intends to build a flexible system of assessment based upon the Common Core Standards in English language arts and mathematics with the intent that all students across this Consortium of States will know their progress toward college and career readiness.

The Consortium recognizes the need for a system of formative, interim, and summative assessments-organized around the Common Core Standards-that support high-quality learning, the demands of accountability, and that balance concerns for innovative assessment with the need for a fiscally sustainable system that is feasible to implement. The efforts of the Consortium will be organized to accomplish these goals.

The comprehensive assessment system developed by the Consortium will include the following key elements and principles:

1. A Comprehensive Assessment System that will be grounded in a thoughtfully integrated learning system of standards, curriculum, assessment, instruction and teacher development that will inform decision-making by including formative strategies, interim assessments, and summative assessments.
2. The assessment system will measure the full range of the Common Core Standards including those that measure higher-order skills and will inform progress toward and acquisition of readiness for higher education and multiple work domains. The system will emphasize deep knowledge of core concepts within and across the disciplines, problem solving, analysis, synthesis, and critical thinking.
3. Teachers will be involved in the design, development, and scoring of assessment items and tasks. Teachers will participate in the alignment of the Common Core Standards and the identification of the standards in the local curriculum.
4. Technology will be used to enable adaptive technologies to better measure student abilities across the full spectrum of student performance and evaluate growth in learning; to support online simulation tasks that test higher-order abilities; to score the results; and to deliver the responses to trained scorers/teachers to access from an electronic platform. Technology applications will be designed to maximize interoperability across user platforms, and will utilize open-source development to the greatest extent possible.

## SMARTER Balanced Assessment Consortium MOU

5. A sophisticated design will yield scores to support evaluations of student growth, as well as school, teacher, and principal effectiveness in an efficient manner.
6. On-demand and curriculum-embedded assessments will be incorporated over time to allow teachers to see where students are on multiple dimensions of learning and to strategically support their progress.
7. All components of the system will incorporate principles of Universal Design that seek to remove construct-irrelevant aspects of tasks that could increase barriers for non-native English speakers and students with other specific learning needs.
8. Optional components will allow States flexibility to meet their individual needs.

### **(b) Responsibilities of States in the Consortium**

Each State agrees to the following element of the Consortium's Assessment System:

- Adopt the Common Core Standards, which are college- and career-ready standards, and to which the Consortium's assessment system will be aligned, no later than December 31, 2011.

Each State that is a member of the Consortium in 2014-2015 also agrees to the following:

- Adopt common achievement standards no later than the 2014-2015 school year,
- Fully implement statewide the Consortium summative assessment in grades 3-8 and high school for both mathematics and English language arts no later than the 2014-2015 school year,
- Adhere to the governance as outlined in this document,
- Agree to support the decisions of the Consortium,
- Agree to follow agreed-upon timelines,
- Be willing to participate in the decision-making process and, if a Governing State, final decision, and
- Identify and implement a plan to address barriers in State law, statute, regulation, or policy to implementing the proposed assessment system and to addressing any such barriers prior to full implementation of the summative assessment components of the system.

### **(c) Responsibilities of the Consortium**

The Consortium will provide the following by the 2014-15 school year:

1. A comprehensively designed assessment system that includes a strategic use of a variety of item types and performance assessments of modest scope to assess the full range of the Common Core Standards with an emphasis on problem solving, analysis, synthesis, and critical thinking.

## SMARTER Balanced Assessment Consortium MOU

2. An assessment system that incorporates a required summative assessment with optional formative/benchmark components which provides accurate assessment of all students (as defined in the Federal notice) including students with disabilities, English learners, and low- and high-performing students.
3. Except as described above, a summative assessment that will be administered as a computer adaptive assessment and include a minimum of 1-2 performance assessments of modest scope.
4. Psychometrically sound scaling and equating procedures based on a combination of objectively scored items, constructed-response items, and a modest number of performance tasks of limited scope (e.g., no more than a few days to complete).
5. Reliable, valid, and fair scores for students and groups that can be used to evaluate student achievement and year-to-year growth; determine school/district/state effectiveness for Title I ESEA; and better understand the effectiveness and professional development needs of teachers and principals.
6. Achievement standards and achievement level descriptors that are internationally benchmarked.
7. Access for the State or its authorized delegate to a secure item and task bank that includes psychometric attributes required to score the assessment in a comparable manner with other State members, and access to other applications determined to be essential to the implementation of the system.
8. Online administration with limited support for paper-and-pencil administration through the end of the 2016-17 school year. States using the paper-and-pencil option will be responsible for any unique costs associated with the development and administration of the paper-and-pencil assessments.
9. Formative assessment tools and supports that are developed to support curricular goals, which include learning progressions, and that link evidence of student competencies to the summative system.
10. Professional development focused on curriculum and lesson development as well as scoring and examination of student work.
11. A representative governance structure that ensures a strong voice for State administrators, policymakers, school practitioners, and technical advisors to ensure an optimum balance of assessment quality, efficiency, costs, and time. The governance body will be responsible for implementing plans that are consistent with this MOU, but may make changes as necessary through a formal adoption process.

12. Through at least the 2013-14 school year, a Project Management Partner (PMP) that will manage the logistics and planning on behalf of the Consortium and that will monitor for the U.S. Department of Education the progress of deliverables of the proposal. The proposed PMP will be identified no later than August 4, 2010.
13. By September 1, 2014, a financial plan will be approved by the Governing States that will ensure the Consortium is efficient, effective, and sustainable. The plan will include as revenue at a minimum, State contributions, federal grants, and private donations and fees to non-State members as allowable by the U.S. Department of Education.
14. A consolidated data reporting system that enhances parent, student, teacher, principal, district, and State understanding of student progress toward college- and career- readiness.
15. Throughout the 2013-14 school year, access to an online test administration application, student constructed-response scoring application and secure test administration browsers that can be used by the Total State Membership to administer the assessment. The Consortium will procure resources necessary to develop and field test the system. However, States will be responsible for any hardware and vendor services necessary to implement the operational assessment. Based on a review of options and the finance plan, the Consortium may elect to jointly procure these services on behalf of the Total State Membership.

**(d) Management of Consortium Funds**

All financial activities will be governed by the laws and rules of the State of Washington, acting in the role of Lead Procurement State/Lead State, and in accordance with 34 CFR 80.36. Additionally, Washington is prepared to follow the guidelines for grant management associated with the American Recovery and Reinvestment Act (ARRA), and will be legally responsible for the use of grant funds and for ensuring that the project is carried out by the Consortium in accordance with Federal requirements. Washington has already established an ARRA Quarterly reporting system (also referred to as *1512 Reporting*).

Per Washington statute, the basis of how funding management actually transpires is dictated by the method of grant dollar allocation, whether upfront distribution or pay-out linked to actual reimbursables. Washington functions under the latter format, generating claims against grant funds based on qualifying reimbursables submitted on behalf of staff or clients, physical purchases, or contracted services. Washington's role as Lead Procurement State/Lead State for the Consortium is not viewed any differently, as monetary exchanges will be executed against appropriate and qualifying reimbursables aligned to expenditure arrangements (i.e., contracts) made with vendors or contractors operating under "personal service contracts," whether individuals, private companies, government agencies, or educational institutions.

## SMARTER Balanced Assessment Consortium MOU

Washington, like most States, is audited regularly by the federal government for the accountability of federal grant funds, and has for the past five years been without an audit finding. Even with the additional potential for review and scrutiny associated with ARRA funding, Washington has its fiscal monitoring and control systems in place to manage the Consortium needs.

- As part of a comprehensive system of fiscal management, Washington's accounting practices are stipulated in the State Administrative and Accounting Manual (SAAM) managed by the State's Office of Financial Management. The SAAM provides details and administrative procedures required of all Washington State agencies for the procurement of goods and services. As such, the State's educational agency is required to follow the SAAM; actions taken to manage the fiscal activities of the Consortium will, likewise, adhere to policies and procedures outlined in the SAAM.
- For information on the associated contracting rules that Washington will adhere to while serving as fiscal agent on behalf of the Consortium, refer to the Revised Code of Washington (RCW) 39.29 "Personal Service Contracts." Regulations and policies authorized by this RCW are established by the State's Office of Financial Management, and can be found in the SAAM.

### **(e) Governance Structure and Activities of States in the Consortium**

As shown in the SMARTER Balanced Assessment Consortium governance structure, the Total State Membership of the Consortium includes Governing and Advisory States, with Washington serving in the role of lead Procurement State/lead State on behalf of the Consortium.

A Governing State is a State that:

- Has fully committed to this Consortium only and met the qualifications specified in this document,
- Is a member of only one Consortium applying for a grant in the Program,
- Has an active role in policy decision-making for the Consortium,
- Provides a representative to serve on the Steering Committee,
- Provides a representative(s) to serve on one or more Work Groups,
- Approves the Steering Committee Members and the Executive Committee Members,
- Participates in the final decision-making of the following:
  - o Changes in Governance and other official documents,
  - o Specific Design elements, and
  - o Other issues that may arise.

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An Advisory State is a State that:

- Has not fully committed to any Consortium but supports the work of this Consortium,
- Participates in all Consortium activities but does not have a vote unless the Steering Committee deems it beneficial to gather input on decisions or chooses to have the Total Membership vote on an issue,
- May contribute to policy, logistical, and implementation discussions that are necessary to fully operationalize the SMARTER Balanced Assessment System, and
- Is encouraged to participate in the Work Groups.

### Organizational Structure

#### Steering Committee

The Steering Committee is comprised of one representative from each Governing State in the Consortium. Committee members may be a chief or his/her designee. Steering Committee Members must meet the following criteria:

- Be from a Governing State,
- Have prior experience in either the design or implementation of curriculum and/or assessment systems at the policy or implementation level, and
- Must have willingness to serve as the liaison between the Total State Membership and Working Groups.

#### Steering Committee Responsibilities

- Determine the broad picture of what the assessment system will look like,
- Receive regular reports from the Project Management Partner, the Policy Coordinator, and the Content Advisor,
- Determine the issues to be presented to the Governing and/or Advisory States,
- Oversee the expenditure of funds in collaboration with the Lead Procurement State/Lead State,
- Operationalize the plan to transition from the proposal governance to implementation governance, and
- Evaluate and recommend successful contract proposals for approval by the Lead Procurement State/Lead State.

#### Executive Committee

- The Executive Committee is made up of the Co-Chairs of the Executive Committee, a representative from the Lead Procurement State/Lead State, a representative from higher education and one representative each from four Governing States. The four Governing State representatives will be selected by the Steering Committee. The Higher Education representative will be selected by the Higher Education Advisory Group, as defined in the Consortium Governance document.

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- For the first year, the Steering Committee will vote on four representatives, one each from four Governing States. The two representatives with the most votes will serve for three years and the two representatives with the second highest votes will serve for two years. This process will allow for the rotation of two new representatives each year. If an individual is unable to complete the full term of office, then the above process will occur to choose an individual to serve for the remainder of the term of office.

### Executive Committee Responsibilities

- Oversee development of SMARTER Balanced Comprehensive Assessment System,
- Provide oversight of the Project Management Partner,
- Provide oversight of the Policy Coordinator,
- Provide oversight of the Lead Procurement State/Lead State,
- Work with project staff to develop agendas,
- Resolve issues,
- Determine what issues/decisions are presented to the Steering Committee, Advisory and/or Governing States for decisions/votes,
- Oversee the expenditure of funds, in collaboration with the Lead Procurement State/Lead State, and
- Receive and act on special and regular reports from the Project Management Partner, the Policy Coordinator, the Content Advisor, and the Lead Procurement State/Lead State.

### Executive Committee Co-Chairs

- Two Co-chairs will be selected from the Steering Committee States. The two Co-chairs must be from two different states. Co-chairs will work closely with the Project Management Partner. Steering Committee members wishing to serve as Executive Committee Co-chairs will submit in writing to the Project Management Partner their willingness to serve. They will need to provide a document signed by their State Chief indicating State support for this role. The Project Management Partner will then prepare a ballot of interested individuals. Each Steering Committee member will vote on the two individuals they wish to serve as Co-chair. The individual with the most votes will serve as the new Co-chair.
- Each Co-chair will serve for two years on a rotating basis. For the first year, the Steering committee will vote on two individuals and the one individual with the most votes will serve a three-year term and the individual with the second highest number of votes will serve a two-year term.
- If an individual is unable to complete the full term of office, then the above process will occur to choose an individual to serve for the remainder of the term of office.

#### Executive Committee Co-Chair Responsibilities

- Set the Steering Committee agendas,
- Set the Executive Committee agenda,
- lead the Executive Committee meetings,
- lead the Steering Committee meetings,
- Oversee the work of the Executive Committee,
- Oversee the work of the Steering Committee,
- Coordinate with the Project Management Partner,
- Coordinate with Content Advisor,
- Coordinate with Policy coordinator,
- Coordinate with the Technical Advisory Committee (TAC), and
- Coordinate with Executive Committee to provide oversight to the Consortium.

#### Decision-making

Consensus will be the goal of all decisions. Major decisions that do not reach consensus will go to a simple majority vote. The Steering Committee will determine what issues will be referred to the Total State Membership. Each member of each group (Advisory/Governing States, Steering Committee, Executive Committee) will have one vote when votes are conducted within each group. If there is only a one to three vote difference, the issue will be re-examined to seek greater consensus. The Steering Committee will be responsible for preparing additional information as to the pros and cons of the issue to assist voting States in developing consensus and reaching a final decision. The Steering Committee may delegate this responsibility to the Executive Committee. The Executive Committee will decide which decisions or issues are votes to be taken to the Steering Committee. The Steering Committee makes the decision to take issues to the full Membership for a vote.

The Steering Committee and the Governance/Finance work group will collaborate with each Work Group to determine the hierarchy of the decision-making by each group in the organizational structure.

#### Work Groups

The Work Groups are comprised of chiefs, assessment directors, assessment staff, curriculum specialists, professional development specialists, technical advisors and other specialists as needed from States. Participation on a workgroup will require varying amounts of time depending on the task. Individuals interested in participating on a Work Group should submit their request in writing to the Project Management Partner indicating their preferred subgroup. All Governing States are asked to commit to one or more Work Groups based on skills, expertise, and interest within the

## SMARTER Balanced Assessment Consortium MOU

State to maximize contributions and distribute expertise and responsibilities efficiently and effectively. The Consortium has established the following Work Groups:

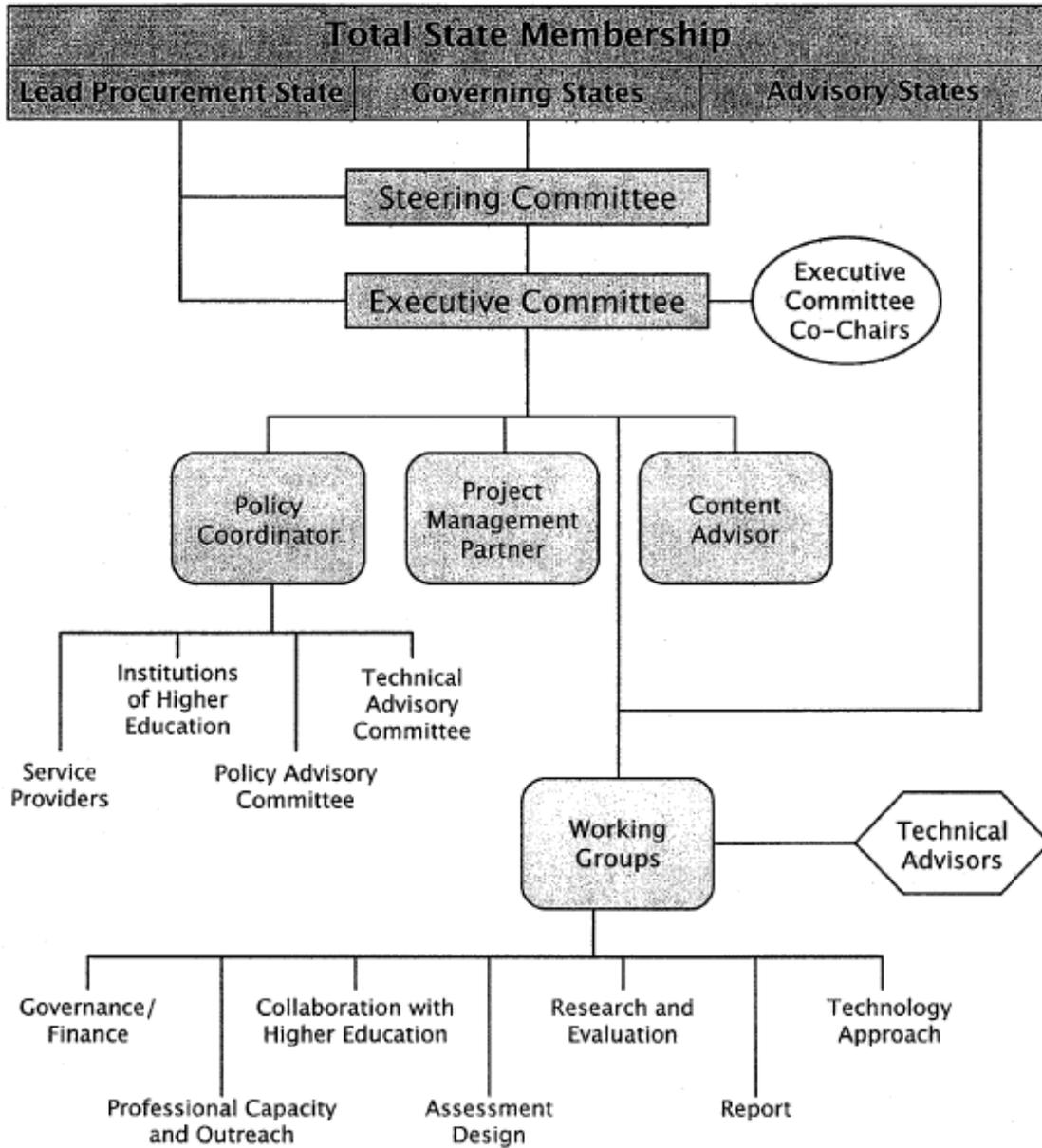
- Governance/Finance,
- Assessment Design,
- Research and Evaluation,
- Report,
- Technology Approach,
- Professional Capacity and Outreach, and
- Collaboration with Higher Education.

The Consortium will also support the work of the Work Groups through a Technical Advisory Committee (TAC). The Policy Coordinator in collaboration with the Steering Committee will create various groups as needed to advise the Steering Committee and the Total State Membership. Initial groups will include

- Institutions of Higher Education,
- Technical Advisory Committee,
- Policy Advisory Committee, and
- Service Providers.

An organizational chart showing the groups described above is provided on the next page.

## SMARTER Balanced Assessment Consortium Organizational Structure



**(f) State Entrance, Exit, and Status Change**

This MOU shall become effective as of the date first written above upon signature by both the Consortium and the Lead Procurement State/Lead State (Washington) and remain in force until the conclusion of the Program, unless terminated earlier in writing by the Consortium as set forth below.

Entrance into Consortium

Entrance into the Smarter Balanced Assessment Consortium is assured when:

- The level of membership is declared and signatures are secured on the MOU from the *State's* Commissioner, State Superintendent, or Chief; Governor; and President/Chair of the State Board of Education (if the State has one);
- The signed MOU is submitted to the Consortium Grant Project Manager (until June 23) and then the Project Management Partner after August 4, 2010;
- The Advisory and Governing States agree to and adhere to the requirements of the governance;
- The *State's* Chief Procurement Officer has reviewed its applicable procurement rules and provided assurance that it may participate in and make procurements through the Consortium;
- The State is committed to implement a plan to identify any existing barriers in State law, statute, regulation, or policy to implementing the proposed assessment system and to addressing any such barriers prior to full implementation of the summative assessment components of the system; and
- The State agrees to support all decisions made prior to the State joining the Consortium.

After receipt of the grant award, any request for entrance into the Consortium must be approved by the Executive Committee. Upon approval, the Project Management Partner will then submit a change of membership to the USED for approval. A State may begin participating in the decision-making process after receipt of the MOU.

Exit from Consortium

Any State may leave the Consortium without cause, but must comply with the following exit process:

- A State requesting an exit from the Consortium must submit in writing their request and reasons for the exit request,
- The written explanation must include the statutory or policy reasons for the exit,
- The written request must be submitted to the Project Management Partner with the same signatures as required for the MOU,
- The Executive Committee will act upon the request within a week of the request, and upon approval of the request, the Project Management Partner will then submit a change of membership to the USED for approval.

Changing Roles in the Consortium

A State desiring to change from an Advisory State to a Governing State or from a Governing State to an Advisory State may do so under the following conditions:

- A State requesting a role change in the Consortium must submit in writing their request and reasons for the request,
- The written request must be submitted to the Project Management Partner with the same signatures as required for the MOU, and
- The Executive Committee will act upon the request within a week of the request and submit to the USED for approval.

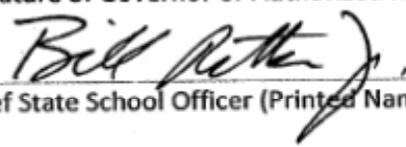
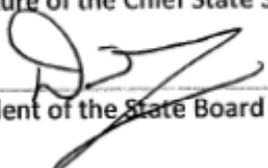
**(g) Plan for Identifying Existing State Barriers**

Each State agrees to identify existing barriers in State laws, statutes, regulations, or policies by noting the barrier and the plan to remove the barrier. Each State agrees to use the table below as a planning tool for identifying existing barriers. States may choose to include any known barriers in the table below at the time of signing this MOU.

| Barrier | Issue/Risk of Issue (if known) | Statute, Regulation, or Policy | Governing Body with Authority to Remove Barrier | Approximate Date to Initiate Action | Target Date for Removal of Barrier | Comments |
|---------|--------------------------------|--------------------------------|-------------------------------------------------|-------------------------------------|------------------------------------|----------|
|         |                                |                                |                                                 |                                     |                                    |          |
|         |                                |                                |                                                 |                                     |                                    |          |
|         |                                |                                |                                                 |                                     |                                    |          |
|         |                                |                                |                                                 |                                     |                                    |          |

[remainder of page intentionally left blank]

- (h) Bind each State in the Consortium to every statement and assurance made in the application through the following signature blocks

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <p><b>(h)(i)(A) ADVISORY STATE SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application Assurances.</b></p> <p><i>(Required from all "Advisory States" in the Consortium.)</i></p> <p>As an <u>Advisory State</u> in the SMARTER Balanced Assessment Consortium, I have read and understand the roles and responsibilities of Advisory States, and agree to be bound by the statements and assurances made in the application.</p> |                                       |
| <p>State Name: <b>Colorado</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                       |
| <p>Governor or Authorized Representative of the Governor (Printed Name):</p> <p>Bill Ritter Jr.</p>                                                                                                                                                                                                                                                                                                                                                                                      | <p>Telephone:</p> <p>303-866-3453</p> |
| <p>Signature of Governor or Authorized Representative of the Governor:</p>                                                                                                                                                                                                                                                                                                                             | <p>Date:</p> <p>June 9, 2010</p>      |
| <p>Chief State School Officer (Printed Name):</p> <p>Dwight D. Jones</p>                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>Telephone:</p> <p>303-866-6646</p> |
| <p>Signature of the Chief State School Officer:</p>                                                                                                                                                                                                                                                                                                                                                   | <p>Date:</p> <p>6/8/2010</p>          |
| <p>President of the State Board of Education, if applicable (Printed Name):</p> <p>Bob Schaffer</p>                                                                                                                                                                                                                                                                                                                                                                                      | <p>Telephone:</p> <p>303-866-6817</p> |
| <p>Signature of the President of the State Board of Education, if applicable:</p>                                                                                                                                                                                                                                                                                                                     | <p>Date:</p> <p>6-10-10</p>           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>(h)(ii) STATE PROCUREMENT OFFICER SIGNATURE BLOCK</b> for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application Assurances.<br><br><i>(Required from <u>all States</u> in the Consortium.)</i><br><br>I certify that I have reviewed the applicable procurement rules for my State and have determined that it may participate in and make procurements through the SMARTER Balanced Assessment Consortium. |                                                                      |
| State Name:<br><p style="text-align: center;"><b>Colorado</b></p>                                                                                                                                                                                                                                                                                                                                                                                   |                                                                      |
| State's chief procurement official (or designee), (Printed Name):<br><p style="text-align: center;"><i>John Utterback</i></p>                                                                                                                                                                                                                                                                                                                       | Telephone:<br><p style="text-align: center;"><i>303-816-6181</i></p> |
| Signature of State's chief procurement official (or designee),:<br><p style="text-align: center;"><i>John Utterback</i></p>                                                                                                                                                                                                                                                                                                                         | Date:<br><p style="text-align: center;"><i>6/09/10</i></p>           |

APPENDIX (A)(1) – A – vi

COLORADO

MEMORANDUM OF UNDERSTANDING

ADDENDUM 2

ADDENDUM 3

**MEMORANDUM OF UNDERSTANDING**  
**For**  
**Race To The Top-Comprehensive Assessment Systems Grant**

**PARTNERSHIP FOR ASSESSMENT OF READINESS FOR COLLEGE AND CAREERS**  
**MEMBERS**

**JUNE 3,**  
**2010**

**I. Parties**

This Memorandum of Understanding ("MOU") is made and effective as of this 11<sup>th</sup> day of June 2010, (the "Effective Date") by and between the State of Colorado and all other member states of the Partnership For Assessment of Readiness for College and Careers ("Consortium" or "PARCC") who have also executed this MOU.

**II. Scope of MOU**

This MOU constitutes an understanding between the Consortium member states to participate in the Consortium. This document describes the purpose and goals of the Consortium, presents its background, explains its organizational and governance structure, and defines the terms, responsibilities and benefits of participation in the Consortium.

**III. Background: Comprehensive Assessment Systems Grant**

On April 9, 2010, the Department of Education ("ED") announced its intent to provide grant funding to consortia of States for two grant categories under the Race to the Top Fund Assessment Program: (a) Comprehensive Assessment Systems grants, and (b) High School Course Assessment grants. 75 Fed. Reg. 18171 (April 9, 2010) ("Notice").

The Comprehensive Assessment Systems grant will support the development of new assessment systems that measure student knowledge and skills against a common set of college- and career-ready standards in mathematics and English language arts in a way that covers the full range of those standards, elicits complex student demonstrations or applications of knowledge and skills as appropriate, and provides an accurate measure of student achievement across the full performance continuum and an accurate measure of student growth over a full academic year or course.

**IV. Purpose and Goals**

The states that are signatories to this MOU are members of a consortium (Partnership For Assessment of Readiness for College and Careers) that have organized themselves to apply for and carry out the objectives of the Comprehensive Assessment Systems grant program.

Consortium states have identified the following major purposes and uses for the assessment system results:

- To measure and document students' college and career readiness by the end of high school and progress toward this target. Students meeting the college and career readiness standards will be eligible for placement into entry-level credit-bearing, rather than remedial, courses in public 2- and 4-year postsecondary institutions in all participating states.
- To provide assessments and results that:
  - Are comparable across states at the student level;
  - Meet internationally rigorous benchmarks;
  - Allow valid measures of student longitudinal growth; and
  - Serve as a signal for good instructional practices.
- To support multiple levels and forms of accountability including:
  - Decisions about promotion and graduation for individual students;
  - Teacher and leader evaluations;
  - School accountability determinations;
  - Determinations of principal and teacher professional development and support needs; and
  - Teaching, learning, and program improvement.
- Assesses all students, including English learners and students with disabilities.

To further these goals, States that join the Consortium by signing this MOU mutually agree to support the work of the Consortium as described in the PARCC application for funding under the Race to the Top Assessment Program.

## **V. Definitions**

This MOU incorporates and adopts the terms defined in the Department of Education's Notice, which is appended hereto as Addendum I.

## **VI. Key Deadlines**

The Consortium has established key deadlines and action items for all Consortium states, as specified in Table (A)(I)(b)(v) and Section (A)(I) of its proposal. The following milestones represent major junctures during the grant period when the direction of the Consortium's work will be clarified, when the Consortium must make key decisions, and when member states must make additional commitments to the Consortium and its work.

- A. The Consortium shall develop procedures for the administration of its duties, set forth in By-Laws, which will be adopted at the first meeting of the Governing Board.
- B. The Consortium shall adopt common assessment administration procedures no later than the spring of 2011.
- C. The Consortium shall adopt a common set of item release policies no later than the spring of 2011.
- D. The Consortium shall adopt a test security policy no later than the spring of 2011.
- E. The Consortium shall adopt a common definition of "English learner" and common policies and procedures for student participation and accommodations for English learners no later than the spring of 2011.
- F. The Consortium shall adopt common policies and procedures for student participation and accommodations for students with disabilities no later than the spring of 2011.
- G. Each Consortium state shall adopt a common set of college- and career-ready standards no later than December 31, 2011.
- H. The Consortium shall adopt a common set of common performance level descriptors no later than the summer of 2014.
- I. The Consortium shall adopt a common set of achievement standards no later than the summer of 2015.

## **VII. Consortium Membership**

### **A. Membership Types and Responsibilities**

- 1. **Governing State:** A State becomes a Governing State if it meets the eligibility criteria in this section.
  - a. The eligibility criteria for a Governing State are as follows:
    - (i) A Governing State may not be a member of any other consortium that has applied for or receives grant funding from the Department of Education under the Race to the Top Fund Assessment Program for the Comprehensive Course Assessment Systems grant category;

- (ii) A Governing State must be committed to statewide implementation and administration of the assessment system developed by the Consortium no later than the 2014-2015 school year, subject to availability of funds;
- (iii) A Governing State must be committed to using the assessment results in its accountability system, including for school accountability determinations; teacher and leader evaluations; and teaching, learning and program improvement;
- (iv) A Governing State must provide staff to the Consortium to support the activities of the Consortium as follows:
  - Coordinate the state's overall participation in all aspects of the project, including:
    - ongoing communication within the state education agency, with local school systems, teachers and school leaders, higher education leaders;
    - communication to keep the state board of education, governor's office and appropriate legislative leaders and committees informed of the consortium's activities and progress on a regular basis;
    - participation by local schools and education agencies in pilot tests and field test of system components; and
    - identification of barriers to implementation.
  - Participate in the management of the assessment development process on behalf of the Consortium;
  - Represent the chief state school officer when necessary in Governing Board meetings and calls;
  - Participate on Design Committees that will:
    - Develop the overall assessment design for the Consortium;
    - Develop content and test specifications;
      - Develop and review Requests for Proposals (RFPs);
      - Manage contract(s) for assessment system development;
      - Recommend common achievement levels;

- Recommend common assessment policies; and
    - Other tasks as needed.
  - (v) A Governing State must identify and address the legal, statutory, regulatory and policy barriers it must change in order for the State to adopt and implement the Consortium's assessment system components by the 2014-15 school year.
- b. A Governing State has the following additional rights and responsibilities:
- (i) A Governing State has authority to participate with other Governing States to determine and/or to modify the major policies and operational procedures of the Consortium, including the Consortium's work plan and theory of action;
  - (ii) A Governing State has authority to participate with other Governing States to provide direction to the Project Management Partner, the Fiscal Agent, and to any other contractors or advisors retained by or on behalf of the Consortium that are compensated with Grant funds;
  - (iii) A Governing State has authority to participate with other Governing States to approve the design of the assessment system that will be developed by the Consortium;
  - (iv) A Governing State must participate in the work of the Consortium's design and assessment committees;
  - (v) A Governing State must participate in pilot and field testing of the assessment systems and tools developed by the Consortium, in accordance with the Consortium's work plan;
  - (vi) A Governing State must develop a plan for the statewide implementation of the Consortium's assessment system by 2014-2015, including removing or resolving statutory, regulatory and policy barriers to implementation, and securing funding for implementation;
  - (vii) A Governing State may receive funding from the Consortium to defray the costs associated with staff time devoted to governance of the Consortium, if such funding is included in the Consortium budget;
  - (viii) A Governing State may receive funding from the Consortium to defray the costs associated with intra-State communications and engagements, if such funding is included in the Consortium budget.

- (ix) A Governing State has authority to vote upon significant grant fund expenditures and disbursements (including awards of contracts and subgrants) made to and/or executed by the Fiscal Agent, Governing States, the Project Management Partner, and other contractors or subgrantees.

**2. Fiscal Agent:** The Fiscal Agent will be one of the Governing States in the Consortium.

- (i) The Fiscal Agent will serve as the "Applicant" state for purposes of the grant application, applying as the member of the Consortium on behalf of the Consortium, pursuant to the Application Requirements of the Notice (Addendum I) and 34 C.F.R. 75.128.
- (ii) The Fiscal Agent shall have a fiduciary responsibility to the Consortium to manage and account for the grant funds provided by the Federal Government under the Race to the Top Fund Assessment Program Comprehensive Assessment Systems grants, including related administrative functions, subject to the direction and approval of the Governing Board regarding the expenditure and disbursement of all grant funds, and shall have no greater decision-making authority regarding the expenditure and disbursement of grant funds than any other Governing State;
- (iii) The Fiscal Agent shall issue RFPs in order to procure goods and services on behalf of the Consortium;
- (iv) The Fiscal Agent has the authority, with the Governing Board's approval, to designate another Governing State as the issuing entity of RFPs for procurements on behalf of the Consortium;
- (v) The Fiscal Agent shall enter into a contract or subgrant with the organization selected to serve as the Consortium's Project Management Partner;
- (vi) The Fiscal Agent may receive funding from the Consortium in the form of disbursements from Grant funding, as authorized by the Governing Board, to cover the costs associated with carrying out its responsibilities as a Fiscal Agent, if such funding is included in the Consortium budget;
- (vii) The Fiscal Agent may enter into significant contracts for services to assist the grantee to fulfill its obligation to the Federal Government to manage and account for grant funds;
- (viii) Consortium member states will identify and report to the Fiscal Agent, and the Fiscal Agent will report to the Department of Education, pursuant to

program requirement 11 identified in the Notice for Comprehensive Assessment System grantees, any current assessment requirements in Title I of the ESEA that would need to be waived in order for member States to fully implement the assessment system developed by the Consortium.

### **3. Participating State**

a. The eligibility criteria for a Participating State are as follows:

- (i) A Participating State commits to support and assist with the Consortium's execution of the program described in the PARCC application for a Race to the Top Fund Assessment Program grant, consistent with the rights and responsibilities detailed below, but does not at this time make the commitments of a Governing State;
- (ii) A Participating State may be a member of more than one consortium that applies for or receives grant funds from ED for the Race to the Top Fund Assessment Program for the Comprehensive Assessment Systems grant category.

b. The rights and responsibilities of a Participating State are as follows:

- (i) A Participating State is encouraged to provide staff to participate on the Design Committees, Advisory Committees, Working Groups or other similar groups established by the Governing Board;
- (ii) A Participating State shall review and provide feedback to the Design Committees and to the Governing Board regarding the design plans, strategies and policies of the Consortium as they are being developed;
- (iii) A Participating State must participate in pilot and field testing of the assessment systems and tools developed by the Consortium, in accordance with the Consortium's work plan; and
- (iv) A Participating State is not eligible to receive reimbursement for the costs it may incur to participate in certain activities of the Consortium.

### **4. Proposed Project Management Partner:**

Consistent with the requirements of ED's Notice, the PARCC Governing States are conducting a competitive procurement to select the consortium Project Management Partner. The PARCC Governing Board will direct and oversee the work of the organization selected to be the Project Management Partner.

**B. Recommitment to the Consortium**

In the event that that the governor or chief state school officer is replaced in a Consortium state, the successor in that office shall affirm in writing to the Governing Board Chair the State's continued commitment to participation in the Consortium and to the binding commitments made by that official's predecessor within five (5) months of taking office.

**C. Application Process For New Members**

1. A State that wishes to join the Consortium after submission of the grant application may apply for membership in the Consortium at any time, provided that the State meets the prevailing eligibility requirements associated with its desired membership classification in the Consortium. The state's Governor, Chief State School Officer, and President of the State Board of Education (if applicable) must sign a MOU with all of the commitments contained herein, and the appropriate state higher education leaders must sign a letter making the same commitments as those made by higher education leaders in the states that have signed this MOU.
2. A State that joins the Consortium after the grant application is submitted to the Department of Education is not authorized to re-open settled issues, nor may it participate in the review of proposals for Requests for Proposals that have already been issued.

**D. Membership Opt-Out Process**

At any time, a State may withdraw from the Consortium by providing written notice to the chair of the Governing Board, signed by the individuals holding the same positions that signed the MOU, at least ten (10) days prior to the effective date of the withdrawal, including an explanation of reasons for the withdrawal.

**VIII. Consortium Governance**

This section of the MOU details the process by which the Consortium shall conduct its business.

**A. Governing Board**

1. The Governing Board shall be comprised of the chief state school officer or designee from each Governing State;
2. The Governing Board shall make decisions regarding major policy, design, operational and organizational aspects of the Consortium's work, including:
  - a. Overall design of the assessment system;
  - b. Common achievement levels;

- c. Consortium procurement strategy;
  - d. Modifications to governance structure and decision-making process;
  - e. Policies and decisions regarding control and ownership of intellectual property developed or acquired by the Consortium (including without limitation, test specifications and blue prints, test forms, item banks, psychometric information, and other measurement theories/practices), provided that such policies and decisions:
    - (i) will provide equivalent rights to such intellectual property to all states participating in the Consortium, regardless of membership type;
    - (ii) will preserve the Consortium's flexibility to acquire intellectual property to the assessment systems as the Consortium may deem necessary and consistent with "best value" procurement principles, and with due regard for the Notice requirements regarding broad availability of such intellectual property except as otherwise protected by law or agreement as proprietary information.
3. The Governing Board shall form Design, Advisory and other committees, groups and teams ("committees") as it deems necessary and appropriate to carry out the Consortium's work, including those identified in the PARCC grant application.
- a. The Governing Board will define the charter for each committee, to include objectives, timeline, and anticipated work product, and will specify which design and policy decisions (if any) may be made by the committee and which must be elevated to the Governing Board for decision;
  - b. When a committee is being formed, the Governing Board shall seek nominations for members from all states in the Consortium;
  - c. Design Committees that were formed during the proposal development stage shall continue with their initial membership, though additional members may be added at the discretion of the Governing Board;
  - d. In forming committees, the Governing Board will seek to maximize involvement across the Consortium, while keeping groups to manageable sizes in light of time and budget constraints;
  - e. Committees shall share drafts of their work products, when appropriate, with all PARCC states for review and feedback; and
  - f. Committees shall make decisions by consensus; but where consensus does not exist the committee shall provide the options developed to the

Governing Board for decision (except as the charter for a committee may otherwise provide).

4. The Governing Board shall be chaired by a chief state school officer from one Governing State.
  - a. The Governing Board Chair shall serve a one-year term, which may be renewed.
  - b. The Governing States shall nominate candidates to serve as the Governing Board Chair, and the Governing Board Chair shall be selected by majority vote.
  - c. The Governing Board Chair shall have the following responsibilities:
    - (i) To provide leadership to the Governing Board to ensure that it operates in an efficient, effective, and orderly manner. The tasks related to these responsibilities include:
      - (a) Ensure that the appropriate policies and procedures are in place for the effective management of the Governing Board and the Consortium;
      - (b) Assist in managing the affairs of the Governing Board, including chairing meetings of the Governing Board and ensure that each meeting has a set agenda, is planned effectively and is conducted according to the Consortium's policies and procedures and addresses the matters identified on the meeting agenda;
      - (c) Represent the Governing Board, and act as a spokesperson for the Governing Board if and when necessary;
      - (d) Ensure that the Governing Board is managed effectively by, among other actions, supervising the Project Management Partner; and
      - (e) Serve as in a leadership capacity by encouraging the work of the Consortium, and assist in resolving any conflicts.
5. The Consortium shall adhere to the timeline provided in the grant application for making major decisions regarding the Consortium's work plan.
  - a. The timeline shall be updated and distributed by the Project Management Partner to all Consortium states on a quarterly basis.

6. Participating States may provide input for Governing Board decisions, as described below.
7. Governing Board decisions shall be made by consensus; where consensus is not achieved among Governing States, decisions shall be made by a vote of the Governing States. Each State has one vote. Votes of a supermajority of the Governing States are necessary for a decision to be reached.
  - a. The supermajority of the Governing States is currently defined as a majority of Governing States plus one additional State;
  - b. The Governing Board shall, from time to time as necessary, including as milestones are reached and additional States become Governing States, evaluate the need to revise the votes that are required to reach a decision, and may revise the definition of supermajority, as appropriate. The Governing Board shall make the decision to revise the definition of supermajority by consensus, or if consensus is not achieved, by a vote of the supermajority as currently defined at the time of the vote.
8. The Governing Board shall meet quarterly to consider issues identified by the Board Chair, including but not limited to major policy decisions of the Consortium.

**B. Design Committees**

1. One or more Design Committees will be formed by the Governing Board to develop plans for key areas of Consortium work, such as recommending the assessment system design and development process, to oversee the assessment development work performed by one or more vendors, to recommend achievement levels and other assessment policies, and address other issues as needed. These committees will be comprised of state assessment directors and other key representatives from Governing States and Participating States.
2. Design Committees shall provide recommendations to the Governing Board regarding major decisions on issues such as those identified above, or as otherwise established in their charters.
  - a. Recommendations are made on a consensus basis, with input from the Participating States.
  - b. Where consensus is not achieved by a Design Committee, the Committee shall provide alternative recommendations to the Governing Board, and describe the strengths and weaknesses of each recommendation.

- c. Design Committees, with support from the Project Management Partner, shall make and keep records of decisions on behalf of the Consortium regarding assessment policies, operational matters and other aspects of the Consortium's work if a Design Committee's charter authorizes it to make decisions without input from or involvement of the Governing Board.
  - d. Decisions reserved to Design Committees by their charters shall be made by consensus; but where consensus is not achieved decisions shall be made by a vote of Governing States on each Design Committee. Each Governing State on the committee has one vote. Votes of a majority of the Governing States on a Design Committee, plus one, are necessary for a decision to be reached.
3. The selection of successful bidders in response to RFPs issued on behalf of the Consortium shall be made in accordance with the procurement laws and regulations of the State that issues the RFP, as described more fully in Addendum 3 of this MOU.
- a. To the extent permitted by the procurement laws and regulations of the issuing State, appropriate staff of the Design Committees who were involved in the development of the RFP shall review the proposals, shall provide feedback to the issuing State on the strengths and weaknesses of each proposal, and shall identify the proposal believed to represent the best value for the Consortium members, including the rationale for this conclusion.

**C. General Assembly of All Consortium States**

1. There shall be two convenings of all Consortium states per year, for the purpose of reviewing the progress of the Consortium's work, discussing and providing input into upcoming decisions of the Governing Board and Design Committees, and addressing other issues of concern to the Consortium states.
- a. A leadership team (comprised of chief state school officers, and other officials from the state education agency, state board of education, governor's office, higher education leaders and others as appropriate) from each state shall be invited to participate in one annual meeting.
  - b. Chief state school officers or their designees only shall be invited to the second annual convening.
2. In addition to the two annual convenings, Participating States shall also have the opportunity to provide input and advice to the Governing Board and to the Design Committees through a variety of means, including:
- a. Participation in conference calls and/or webinars;

- b. Written responses to draft documents; and
- c. Participation in Google groups that allow for quick response to documents under development.

## **IX. Benefits of Participation**

Participation in the Consortium offers a number of benefits. For example, member States will have opportunities for:

- A. Possible coordinated cooperative purchase discounts;
- B. Possible discount software license agreements;
- C. Access to a cooperative environment and knowledge-base to facilitate information-sharing for educational, administrative, planning, policy and decision-making purposes;
- D. Shared expertise that can stimulate the development of higher quality in an efficient and cost-effective manner;
- E. Cooperation in the development of improved instructional materials, professional development and teacher preparation programs aligned to the States' standards and assessments; and
- F. Obtaining comparable data that will enable policy makers and teachers to compare educational outcomes and to identify effective instructional practices and strategies.

## **X. Binding Commitments and Assurances**

### **A. Binding Assurances Common to All States – Participating and Governing**

Each state that joins the Consortium, whether as a Participating State or Governing State, hereby certifies and represents that it:

1. Has all requisite power and authority necessary to execute this MOU;
2. Is familiar with the Consortium's Comprehensive Assessment Systems grant application under the ED's Race to the Top Fund Assessment Program and is supportive of and will work to implement the Consortium's plan, as defined by the Consortium and consistent with Addendum I (Notice);
3. Will cooperate fully with the Consortium and will carry out all of the responsibilities associated with its selected membership classification;
4. Will, as a condition of continued membership in the Consortium, adopt a common set of college- and career-ready standards no later than December 31, 2011, and common achievement standards no later than the 2014-2015 school year;
5. Will, as a condition of continued membership in the Consortium, ensure that the summative components of the assessment system (in both mathematics and English language arts) will be fully implemented statewide no later than the 2014-2015 school year, subject to the availability of funds;

6. Will conduct periodic reviews of its State laws, regulations and policies to identify any barriers to implementing the proposed assessment system and address any such barriers prior to full implementation of the summative assessment components of the system:
  - a. The State will take the necessary steps to accomplish implementation as described in Addendum 2 of this MOU.
7. Will use the Consortium-developed assessment systems to meet the assessment requirements in Title I of the ESEA;
8. Will actively promote collaboration and alignment between the State and its public elementary and secondary education systems and their public Institutions of Higher Education ("IHE") or systems of IHEs. The State will endeavor to:
  - a. Maintain the commitments from participating public IHEs or IHE systems to participate in the design and development of the Consortium's high school summative assessments;
  - b. Obtain commitments from additional public IHEs or IHE systems to participate in the design and development of the Consortium's high school summative assessments;
  - c. Involve participating public IHEs or IHE systems in the Consortium's research-based process to establish common achievement standards on the new assessments that signal students' preparation for entry level, credit-bearing coursework; and
  - d. Obtain commitments from public IHEs or IHE systems to use the assessment in all partnership states' postsecondary institutions, along with any other placement requirement established by the IHE or IHE system, as an indicator of students' readiness for placement in non-remedial, credit-bearing college-level coursework.
9. Will provide the required assurances regarding accountability, transparency, reporting, procurement and other assurances and certifications; and
10. Consents to be bound by every statement and assurance in the grant application.

**B. Additional Binding Assurances By Governing States**

In addition to the assurances and commitments required of all States in the Consortium, a Governing State is bound by the following additional assurances and commitments:

1. Provide personnel to the Consortium in sufficient number and qualifications and for sufficient time to support the activities of the Consortium as described in Section VII (A)(I)(a)(iv) of this MOU.

## **XI. Financial Arrangements**

This MOU does not constitute a financial commitment on the part of the Parties. Any financial arrangements associated with the Consortium will be covered by separate project agreements between the Consortium members and other entities, and subject to ordinary budgetary and administrative procedures. It is understood that the ability of the Parties to carry out their obligations is subject to the availability of funds and personnel through their respective funding procedures.

## **XII. Personal Property**

Title to any personal property, such as computers, computer equipment, office supplies, and office equipment furnished by a State to the Consortium under this MOU shall remain with the State furnishing the same. All parties agree to exercise due care in handling such property. However, each party agrees to be responsible for any damage to its property which occurs in the performance of its duties under this MOU, and to waive any claim against the other party for such damage, whether arising through negligence or otherwise.

## **XIII. Liability and Risk of Loss**

- A. To the extent permitted by law, with regard to activities undertaken pursuant to this MOU, none of the parties to this MOU shall make any claim against one another or their respective instrumentalities, agents or employees for any injury to or death of its own employees, or for damage to or loss of its own property, whether such injury, death, damage or loss arises through negligence or otherwise.
- B. To the extent permitted by law, if a risk of damage or loss is not dealt with expressly in this MOU, such party's liability to another party, whether or not arising as the result of alleged breach of the MOU, shall be limited to direct damages only and shall not include loss of revenue or profits or other indirect or consequential damages.

## **XIV. Resolution of Conflicts**

Conflicts which may arise regarding the interpretation of the clauses of this MOU will be resolved by the Governing Board, and that decision will be considered final and not subject to further appeal or to review by any outside court or other tribunal.

## **XV. Modifications**

The content of this MOU may be reviewed periodically or amended at any time as agreed upon by vote of the Governing Board.

## **XVI. Duration, Renewal, Termination**

- A. This MOU will take effect upon execution of this MOU by at least five States as "Governing States" and will have a duration through calendar year 2015, unless otherwise extended by agreement of the Governing Board.

- B. This MOU may be terminated by decision of the Governing Board, or by withdrawal or termination of a sufficient number of Governing States so that there are fewer than five Governing States.
- C. Any member State of the Consortium may be involuntarily terminated by the Governing Board as a member for breach of any term of this MOU, or for breach of any term or condition that may be imposed by the Department of Education, the Consortium Governing Board, or of any applicable bylaws or regulations.

#### **XVII. Points of Contact**

Communications with the State regarding this MOU should be directed to:

**Name:** Jo O'Brien

**Mailing Address:** 201 E. Colfax, Room 502, Denver, CO 80218

**Telephone:** 303-866-6852

**Fax:** 303-866-6682

**E-mail:** obrien\_j@cde.state.co.us

Or hereafter to such other individual as may be designated by the State in writing transmitted to the Chair of the Governing Board and/or to the PARCC Project Management Partner.

#### **XVIII. Signatures and Intent To Join in the Consortium**

The State of Colorado hereby joins the Consortium as a Participating State, and agrees to be bound by all of the assurances and commitments associated with the Participating State membership classification. Further, the State of Colorado agrees to perform the duties and carry out the responsibilities associated with the Participating State membership classification.

##### *Signatures required:*

- Each State's Governor;
- Each State's chief school officer; and
- If applicable, the president of the State board of education.

STATE SIGNATURE BLOCK

State of:

Colorado

Signature of the Governor:



Printed Name:

Bill Ritter Jr.

Date:

June 9, 2010

Signature of the Chief State School Officer:



Printed Name:

Dwight D. Jones

Date:

6/8/2010

Signature of the State Board of Education President (if applicable):



Printed Name:

Bob Schaffer

6-10-10

**ADDENDUM 2:**  
COLORADO ASSURANCE REGARDING PROCESS AND PLANS FOR IMPLEMENTING  
PROPOSED ASSESSMENT SYSTEM

**MEMORANDUM OF UNDERSTANDING For**  
**Race To The Top-- Comprehensive Assessment Systems Grant Partnership For**  
**Assessment of Readiness for College and Careers Members**

**ADDENDUM 2: ASSURANCE REGARDING PROCESS AND PLANS FOR IMPLEMENTING**  
**PROPOSED ASSESSMENT SYSTEM**

**June 3, 2010**

Plan of Colorado

Per Colorado state law, our assessment system is adopted by the state board of education and for our Post-Secondary and Workforce Readiness assessment, Council of Higher Education. We have maintained close connections with our Board on the 2010 assessment revision process and this would continue throughout the transition period ending in 2014-15.

It is of paramount importance to the Colorado Department of Education (CDE) that the state assessment system is both valid and reliable. In order to support this effort, consistent communication and training protocols between CDE and school districts would be maintained. Our current system maintains a strong relationship with District Assessment Coordinators (DACs), who oversee the administration and all data reporting for the state assessments in their subsequent school districts. We foresee this relationship continuing with PARCC assessments, and would rely greatly on our DACs' expertise and leadership in order to work jointly with the state at the district and collegiate levels in providing numerous professional development and training opportunities around the new assessments.

CDE also provides school districts with supplemental materials that clarify and describe the appropriate procedures around the development, administration, and data reporting for the slate assessments. These include a procedures manual, accommodations manuals, proctors/examiners manuals, data interpretation guides, technical reports, and guides to test interpretation. We would revise these materials as needed, while continuing to produce additional documents when necessary. In addition, CDE would consult our assessment Technical Advisory Committee (TAC), DAC Management Team, Assessment Stakeholders Committee, and Colorado Growth Model experts to ensure the PARCC assessments in the state system would be seamless, thoughtful and worthwhile to Colorado's school districts, students, teachers and parents.

**ADDENDUM 3:**  
COLORADO ASSURANCE REGARDING PARTICIPATION IN CONSORTIUM  
PROCUREMENT PROCESS

**MEMORANDUM OF UNDERSTANDING For**  
**Race To The Top-- Comprehensive Assessment Systems Grant Partnership For**  
**Assessment of Readiness for College and Careers Members**

**ADDENDUM 3: ASSURANCE REGARDING PARTICIPATION IN**  
**CONSORTIUM PROCUREMENT PROCESS**

**June 3, 2010**

The signature of the chief procurement official of Colorado on Addendum 3 to the Memorandum of Understanding for the Race to the Top Comprehensive Assessment Systems Grant Partnership For Assessment of Readiness for College and Careers ("Consortium") Members constitutes an assurance that the chief procurement official has determined that Colorado may, consistent with its applicable procurement laws and regulations, participate in and make procurements using the Consortium's procurement processes described herein.

**I. Consortium Procurement Process**

This section describes the procurement process that will be used by the Consortium. The Governing Board of the Consortium reserves the right to revise this procurement process as necessary and appropriate, consistent with its prevailing governance and operational policies and procedures. In the event of any such revision, the Consortium shall furnish a revised Addendum Three to each State in the Consortium for the signature by its chief procurement official.

1. *Competitive Procurement Process; Best Value Source Selection.* The Consortium will procure supplies and services that are necessary to carry out its objectives as defined by the Governing Board of the Consortium and as described in the grant application by a competitive process and will make source selection determinations on a "best value" basis.
2. *Compliance with federal procurement requirements.* The Consortium procurement process shall comply with all applicable federal procurement requirements, including the requirements of the Department of Education's grant regulation at 34 CFR § 80.36, "Procurement," and the requirements applicable to projects funded under the American Recovery and Reinvestment Act of 2009 ("ARRA").
3. *Lead State for Procurement.* The Fiscal Agent of the Consortium shall act as the Lead State for Procurement on behalf of the Consortium, or shall designate another Governing State to serve the Consortium in this capacity. The Lead State for Procurement shall conduct procurements in a manner consistent with its own procurement statutes and regulations.

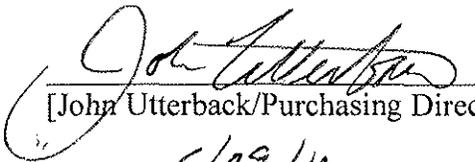
4. *Types of Procurements to be Conducted* The Lead State for Procurement shall conduct two types of procurements: (a) procurements with the grant funds provided by the Department of Education to the Fiscal Agent, and (b) procurements funded by a Consortium member State's non-grant funds.
5. *Manner of Conducting Procurements with Grant Funds.* Procurements with grant funds shall be for the acquisition of supplies and/or services relating only to the design, development, and evaluation of the Consortium's assessment system, and a vendor awarded a contract in this category shall be paid by grant funds disbursed by the Fiscal Agent at the direction of the Governing Board of the Consortium. The Lead State for Procurement shall conduct the procurement and perform the following tasks, and such other tasks as may be required or necessary to conduct the procurement effectively, in a manner consistent with its own State procurement laws and regulations, provided however that such procurements involve a competitive process and best value source selection:
  - a. Issue the Request for Proposal;
  - b. Receive and evaluate responsive proposals;
  - c. Make source selection determinations on a best value basis;
  - d. Execute a contract with the awardee(s);
  - e. Administer awarded contracts.
6. *Manner of Conducting Procurements with State Funds.* The Consortium shall conduct procurements related to the implementation of operational assessments using the cooperative purchasing model described in this section.
  - a. The Lead State for Procurement shall conduct such procurements and perform the following tasks, and such other tasks as may be required or necessary to conduct the procurement effectively, in a manner consistent with its own State procurement laws and regulations, provided however that such procurements involve a competitive process and best value source selection:
    - i. Issue the RFP, and include a provision that identifies the States in the Consortium and provides that each such State may make purchases or place orders under the contract resulting from the competition at the prices established during negotiations with offerors and at the quantities dictated by each ordering State;
    - ii. Receive and evaluate responsive proposals;
    - iii. Make source selection determinations on a best value basis;
    - iv. Execute a contract with the awardee(s);
    - v. Administer awarded contracts.
  - b. A Consortium State other than the Lead State for Procurement shall place orders or make purchases under a contract awarded by the Lead State for Procurement pursuant to the cooperative purchasing authority provided for under its state procurement code and regulations, or other similar authority as may exist or be created or permitted under the applicable laws and regulations of that State.

— **ADDENDUM 3:**  
COLORADO ASSURANCE REGARDING PARTICIPATION IN  
CONSORTIUMPROCUREMENT PROCESS

I. An ordering State shall execute an agreement ("Participating Addendum") with the contractor, which shall be incorporated into the contract. The Participating Addendum will address, as necessary, the scope of the relationship between the contractor and the State; any modifications to contract terms and conditions; the price agreement between the contractor and the State; the use of any servicing subcontractors and lease agreements; and shall provide the contact information for key personnel in the State, and any other specific information as may be relevant and/or necessary.

**II. Assurance** Regarding Participation in Consortium Procurement Process

I, John Utterback, in my capacity as the chief procurement official for Colorado, confirm by my signature below that Colorado may, consistent with the procurement laws and regulations of Colorado, participate in the Consortium procurement processes described in this Addendum 3 to the Memorandum of Understanding For Race To The Top-- Comprehensive Assessment Systems Grant Consortium Members.

  
[John Utterback/Purchasing Director/CO]  
6/09/10  
[DATE]

## Attachment 8

**Provide a link to the State’s report card or attach a copy of the average statewide proficiency based on assessments administered in the 2010–2011 school year in reading/language arts and mathematics for the “all students” group and all subgroups. (Attachment 8)**

While all of the requested data is available at the [SchoolView](#), we have also provided the high level data. Below you will find the academic achievement data for reading and math by grade and by disaggregated group. Also included is the academic growth data for reading and math reported by grade and disaggregated group.

If you’d like to access [SchoolView](#), from this link ([www.schoolview.org/performance.asp](http://www.schoolview.org/performance.asp)), click on the “SchoolVIEW Data Center” button. Once in the Data Center, navigate to the “Performance” tab. From here any member of the public can investigate the CSAP, CSAP (Spanish) and CSAPA data for the state. These data are available by specific content area (Reading, Math, Writing, and Science), disaggregated by grade, ethnicity, gender, or student group (economically disadvantaged, English learner, students with disabilities, migrant or gifted and talented). Trend data are also provided. To get even more detailed information, use the drop down labeled “Overall” in the upper right corner and select “Detail.”

As approved in Colorado’s Accountability Workbook for Title I, proficiency is defined as Partially Proficient, Proficient and Advanced. The state has determined that in a comprehensive, single state accountability system focused on college and career readiness, it is important to include only proficient or advanced scores, thus holding itself accountable to a higher but more defensible standard. Thus, the data in the NCLB State Report Card and EDFacts files will not match what is presented below.



## Reading

### Academic Achievement by Disaggregated Group

| Group                            | Subject | 2009<br>Percent<br>Proficient<br>+<br>Advanced | 2010<br>Percent<br>Proficient<br>+<br>Advanced | 2011<br>Percent<br>Proficient<br>+<br>Advanced |
|----------------------------------|---------|------------------------------------------------|------------------------------------------------|------------------------------------------------|
| Economically Disadvantaged       | Reading | 48.65%                                         | 50.80%                                         | 49.89%                                         |
| English Learner                  | Reading | 38.90%                                         | 40.94%                                         | 41.55%                                         |
| Students with Disabilities       | Reading | 23.74%                                         | 22.01%                                         | 21.04%                                         |
| American Indian or Alaska Native | Reading | 55.77%                                         | 55.75%                                         | 52.70%                                         |
| Asian                            | Reading | 76.14%                                         | 75.78%                                         | 74.82%                                         |
| Black                            | Reading | 52.11%                                         | 53.46%                                         | 48.61%                                         |
| Hispanic                         | Reading | 47.37%                                         | 48.97%                                         | 49.84%                                         |
| White                            | Reading | 79.16%                                         | 78.68%                                         | 78.93%                                         |

### Academic Achievement by Grade

| Grade | Subject | 2009<br>Percent<br>Proficient<br>+<br>Advanced | 2010<br>Percent<br>Proficient<br>+<br>Advanced | 2011<br>Percent<br>Proficient<br>+<br>Advanced |
|-------|---------|------------------------------------------------|------------------------------------------------|------------------------------------------------|
| 3     | Reading | 72.59%                                         | 69.83%                                         | 72.80%                                         |
| 4     | Reading | 65.03%                                         | 65.90%                                         | 65.32%                                         |
| 5     | Reading | 68.65%                                         | 69.57%                                         | 69.06%                                         |
| 6     | Reading | 71.78%                                         | 72.09%                                         | 71.02%                                         |
| 7     | Reading | 67.15%                                         | 67.93%                                         | 67.13%                                         |
| 8     | Reading | 64.47%                                         | 67.92%                                         | 66.99%                                         |
| 9     | Reading | 66.92%                                         | 67.62%                                         | 65.51%                                         |
| 10    | Reading | 69.46%                                         | 66.25%                                         | 65.24%                                         |

## Academic Growth to Standard by Disaggregated Group

| Disaggregated Group        | Reading Median Growth Percentile 2011 |        | Reading Adequate Growth Percentile 2011 |        |
|----------------------------|---------------------------------------|--------|-----------------------------------------|--------|
|                            | Valid N                               | Median | Valid N                                 | Median |
| Free or Reduced eligible   | 152896                                | 47     | 152896                                  | 47     |
| ELL                        | 65326                                 | 52     | 65326                                   | 59     |
| Students with disabilities | 34466                                 | 44     | 34466                                   | 79     |
| Native American            | 3229                                  | 46     | 3229                                    | 42     |
| Asian                      | 11758                                 | 61     | 11758                                   | 23     |
| Black                      | 18349                                 | 45     | 18349                                   | 47     |
| Hispanic                   | 119507                                | 48     | 119507                                  | 47     |
| White                      | 222186                                | 51     | 222186                                  | 21     |
| Pacific Islander           | 794                                   | 50     | 794                                     | 30     |
| Two or more races          | 10914                                 | 51     | 10914                                   | 24     |

## Academic Growth to Standard by Grade

| Grade | Reading Median Growth Percentile 2011 | Reading Adequate Growth Percentile 2011 |
|-------|---------------------------------------|-----------------------------------------|
| 4     | 50                                    | 33                                      |
| 5     | 50                                    | 32                                      |
| 6     | 50                                    | 31                                      |
| 7     | 50                                    | 33                                      |
| 8     | 50                                    | 29                                      |
| 9     | 50                                    | 23                                      |
| 10    | 50                                    | 12                                      |

## Math

### Academic Achievement by Disaggregated Group

| Group                            | Subject | 2009<br>Percent<br>Proficient<br>+<br>Advanced | 2010<br>Percent<br>Proficient<br>+<br>Advanced | 2011<br>Percent<br>Proficient<br>+<br>Advanced |
|----------------------------------|---------|------------------------------------------------|------------------------------------------------|------------------------------------------------|
| Economically Disadvantaged       | Math    | 37.31%                                         | 38.70%                                         | 39.54%                                         |
| English Learner                  | Math    | 34.03%                                         | 35.16%                                         | 36.88%                                         |
| Students with Disabilities       | Math    | 19.46%                                         | 18.72%                                         | 18.32%                                         |
| American Indian or Alaska Native | Math    | 40.02%                                         | 40.59%                                         | 39.81%                                         |
| Asian                            | Math    | 71.00%                                         | 70.16%                                         | 70.94%                                         |
| Black                            | Math    | 34.52%                                         | 35.96%                                         | 33.33%                                         |
| Hispanic                         | Math    | 35.94%                                         | 36.75%                                         | 39.26%                                         |
| White                            | Math    | 64.29%                                         | 64.55%                                         | 65.85%                                         |

### Academic Achievement by Grade

| Grade | Subject | 2009<br>Percent<br>Proficient<br>+<br>Advanced | 2010<br>Percent<br>Proficient<br>+<br>Advanced | 2011<br>Percent<br>Proficient<br>+<br>Advanced |
|-------|---------|------------------------------------------------|------------------------------------------------|------------------------------------------------|
| 3     | Math    | 69.08%                                         | 70.61%                                         | 69.56%                                         |
| 4     | Math    | 70.30%                                         | 70.19%                                         | 71.02%                                         |
| 5     | Math    | 63.20%                                         | 65.51%                                         | 66.06%                                         |
| 6     | Math    | 62.56%                                         | 61.44%                                         | 62.84%                                         |
| 7     | Math    | 54.22%                                         | 48.53%                                         | 52.87%                                         |
| 8     | Math    | 49.93%                                         | 50.96%                                         | 51.29%                                         |
| 9     | Math    | 34.94%                                         | 39.11%                                         | 37.75%                                         |
| 10    | Math    | 30.44%                                         | 30.20%                                         | 31.68%                                         |

## Academic Growth to Standard by Disaggregated Group

| Disaggregated Group        | Math Median Growth Percentile 2011 |        | Math Adequate Growth Percentile 2011 |        |
|----------------------------|------------------------------------|--------|--------------------------------------|--------|
|                            | Valid N                            | Median | Valid N                              | Median |
| Free or Reduced eligible   | 154604                             | 48     | 154604                               | 75     |
| ELL                        | 66817                              | 52     | 66817                                | 78     |
| Students with disabilities | 34855                              | 43     | 34855                                | 94     |
| Native American            | 3227                               | 47     | 3227                                 | 73     |
| Asian                      | 11794                              | 60     | 11794                                | 41     |
| Black                      | 18379                              | 48     | 18379                                | 80     |
| Hispanic                   | 121107                             | 48     | 121107                               | 75     |
| White                      | 222521                             | 51     | 222521                               | 49     |
| Pacific Islander           | 796                                | 52     | 796                                  | 62     |
| Two or more races          | 10943                              | 51     | 10943                                | 53     |

## Academic Growth to Standard by Grade

| Grade | Math Median Growth Percentile 2011 | Math Adequate Growth Percentile 2011 |
|-------|------------------------------------|--------------------------------------|
| 4     | 50                                 | 45                                   |
| 5     | 50                                 | 45                                   |
| 6     | 50                                 | 58                                   |
| 7     | 50                                 | 67                                   |
| 8     | 50                                 | 67                                   |
| 9     | 50                                 | 82                                   |
| 10    | 50                                 | 91                                   |

Attachment 9

TABLE 2: REWARD, PRIORITY, AND FOCUS SCHOOLS (revised 01.18.12)

| District NCES ID | School NCES ID | Reward School | Priority School | Focus School |
|------------------|----------------|---------------|-----------------|--------------|
| 0806300          | 01561          | 1             |                 |              |
| 0804530          | 01965          | 1             |                 |              |
| 0805550          | 02031          |               | 1               |              |
| 0802850          | 00177          |               | 1               |              |
| 0804350          | 00602          |               | 1               |              |
| 0807230          | 01235          |               | 1               |              |
| 0806540          | 01132          |               | 1               |              |
| 0807230          | 01236          |               | 1               |              |
| 0806120          | 01043          |               | 1               |              |
| 0802340          | 00062          |               | 1               |              |
| 0803360          | 00353          |               | 1               |              |
| 0803360          | 06477          |               | 1               |              |
| 0806120          | 01051          |               | 1               |              |
| 0803360          | 00374          |               | 1               |              |
| 0806120          | 01055          |               | 1               |              |
| 0803360          | 06490          |               | 1               |              |
| 0807230          | 01242          |               | 1               |              |
| 0803360          | 01338          |               | 1               |              |
| 0803360          | 00389          |               | 1               |              |
| 0801950          | 00018          |               | 1               |              |
| 0801950          | 00018          |               | 1               |              |
| 0803360          | 01870          |               | 1               |              |
| 0806120          | 01061          |               | 1               |              |
| 0807230          | 01246          |               | 1               |              |
| 0806120          | 01995          |               | 1               |              |
| 0803360          | 06389          |               | 1               |              |
| 0803360          | 06479          |               | 1               |              |
| 0807230          | 01252          |               | 1               |              |
| 0806120          | 01612          |               | 1               |              |
| 0801950          | 01307          |               | 1               |              |
| 0806690          | 01386          |               | 1               |              |
| 0805550          | 02031          |               | 1               |              |
| 0806120          | 01037          |               | 1               |              |
| 0802340          | 00056          |               | 1               |              |
| 0806480          | 00051          |               | 1               |              |
| 0806120          | 01612          |               | 1               |              |
| 0803360          | 00305          |               |                 | 1            |
| 0801950          | 00009          |               |                 | 1            |
| 0801950          | 00010          |               |                 | 1            |
| 0804410          | 01990          |               |                 | 1            |

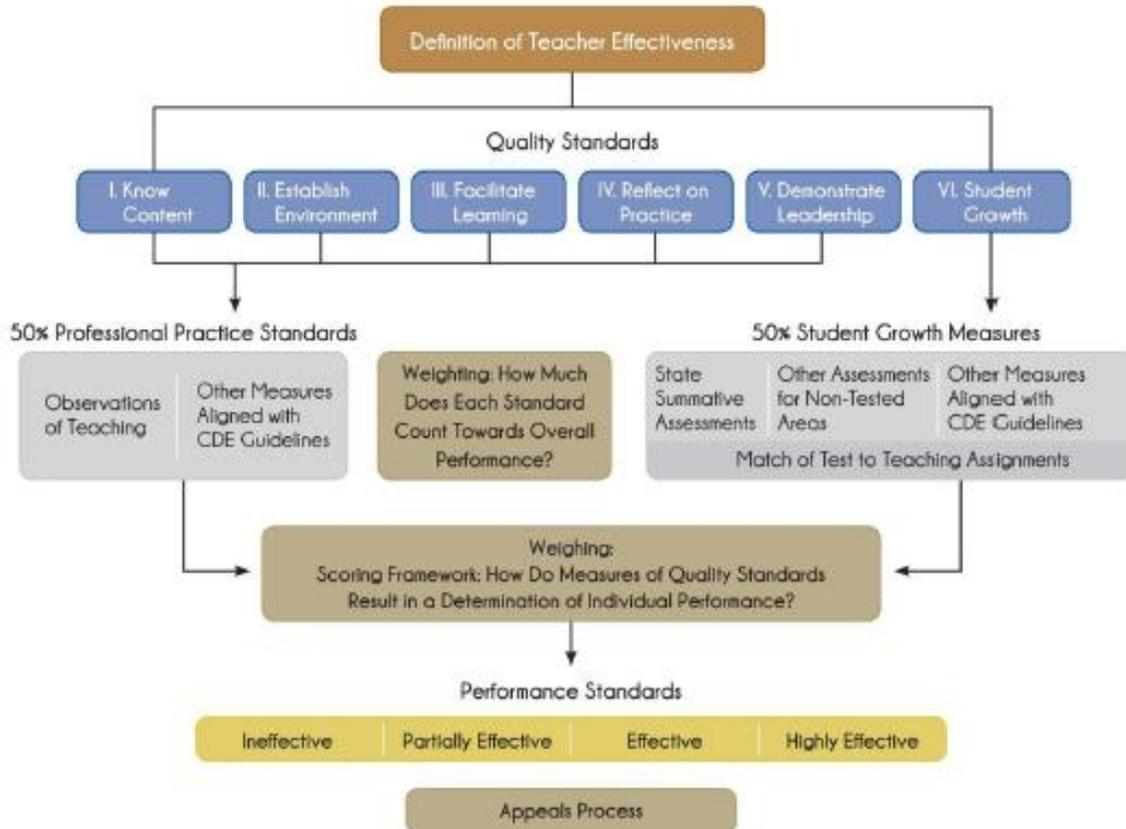
| District<br>NCES ID | School<br>NCES ID | Reward<br>School | Priority<br>School | Focus<br>School |
|---------------------|-------------------|------------------|--------------------|-----------------|
| 0805550             | 01860             |                  |                    | 1               |
| 0805550             | 02016             |                  |                    | 1               |
| 0803360             | 00312             |                  |                    | 1               |
| 0806120             | 01031             |                  |                    | 1               |
| 0802340             | 00055             |                  |                    | 1               |
| 0804530             | 00662             |                  |                    | 1               |
| 0803360             | 00324             |                  |                    | 1               |
| 0800001             | 00214             |                  |                    | 1               |
| 0803360             | 01862             |                  |                    | 1               |
| 0803360             | 00328             |                  |                    | 1               |
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| 0802340             | 00061             |                  |                    | 1               |
| 0803750             | 00484             |                  |                    | 1               |
| 0803360             | 01834             |                  |                    | 1               |
| 0803360             | 00347             |                  |                    | 1               |
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| 0806900             | 01183             |                  |                    | 1               |
| 0804830             | 00808             |                  |                    | 1               |

| District<br>NCES ID | School<br>NCES ID | Reward<br>School | Priority<br>School | Focus<br>School |
|---------------------|-------------------|------------------|--------------------|-----------------|
| 0803060             | 00255             |                  |                    | 1               |
| 0803360             | 00383             |                  |                    | 1               |
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| 0806120             | 01059             |                  |                    | 1               |
| 0805220             | 00864             |                  |                    | 1               |
| 0805790             | 01660             |                  |                    | 1               |
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| 0803180             | 00280             |                  |                    | 1               |
| 0802340             | 00081             |                  |                    | 1               |
| 0803360             | 00423             |                  |                    | 1               |
| 0802340             | 00083             |                  |                    | 1               |
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Attachment 10

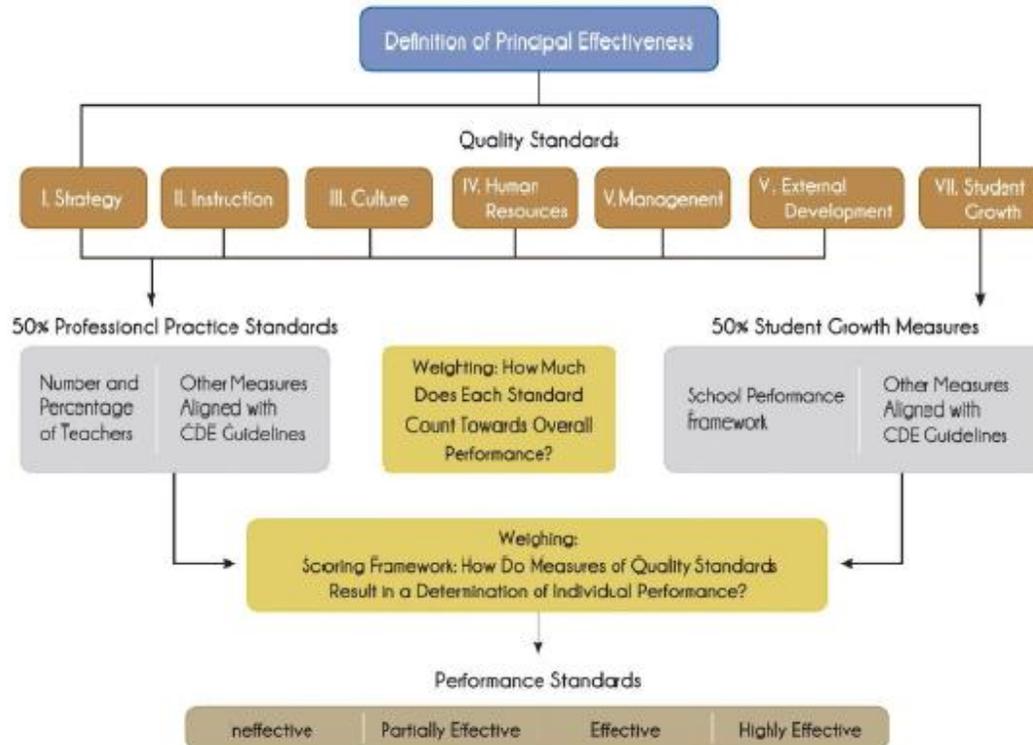
Guidelines for local teacher evaluation and support systems.

STATE COUNCIL FOR EDUCATOR EFFECTIVENESS  
Framework for System to Evaluate Teachers



# Guidelines for local principal evaluation and support systems

## STATE COUNCIL FOR EDUCATOR EFFECTIVENESS Framework for System to Evaluate Principals



## Attachment 11

Evidence that the SEA has adopted one or more guidelines of local teacher and principal evaluation systems- Board Rules approved on November 9, 2011.

### **DEPARTMENT OF EDUCATION**

#### **Colorado State Board of Education**

#### **RULES FOR ADMINISTRATION OF A STATEWIDE SYSTEM TO EVALUATE THE EFFECTIVENESS OF LICENSED PERSONNEL EMPLOYED BY SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE SERVICES**

#### **1 CCR 301-87**

#### **0.0 STATEMENT OF BASIS AND PURPOSE**

These rules are promulgated pursuant to Colorado Revised Statutes section 22-2-107 (1) (c), section 22-9-104 (2) and section 22-9-105.5 (10). Senate Bill 10-191, codified at section 22-9-101, C.R.S., *et seq.* creates a system to evaluate the effectiveness of licensed personnel in school districts and boards of cooperative services throughout the state as a means of improving the quality of education in Colorado.

The basic purposes of the statewide system to evaluate the effectiveness of licensed personnel are:

To ensure that all licensed personnel are evaluated using multiple, fair, transparent, timely, rigorous, and valid methods, fifty percent of which evaluation is determined by the academic growth of their students;

To ensure that all licensed personnel receive adequate feedback and professional development support to provide them a meaningful opportunity to improve their effectiveness; and

To ensure that all licensed personnel are provided the means to share effective practices with other Educators throughout the state.

#### **1.0 DEFINITIONS**

1.01 “Administrator” means any person who administers, directs, or supervises the education instructional program, or a portion thereof, in any school or School District in the state and who is not the chief executive officer or an assistant chief executive officer of such school or a person who is otherwise defined as an Administrator by his or her employing School District or BOCES.

1.02 “BOCES” or “Board of Cooperative Services” shall have the same meaning as provided in section 22-5-103 (2), C.R.S.

1.03 “Colorado Academic Standards” mean the standards adopted by the State Board pursuant to section 22-7-1005, C.R.S., that identify the knowledge and skills that a student should acquire as the student progresses from preschool through elementary and secondary education, and include

English language proficiency standards. Section 22-7-1013, C.R.S., requires each local education provider to ensure that its preschool through elementary and secondary education standards meet or exceed the Colorado Academic Standards. When referenced in these rules, the Colorado Academic Standards may be substituted with these locally adopted standards.

- 1.04 “Department” means the Colorado Department of Education created pursuant to section 24-1-115, C.R.S.
- 1.05 “Educator” means a Principal, Administrator, or Teacher.
- 1.06 “Element” means the detailed description of knowledge and skills that contribute to effective teaching and leading, and which corresponds to a particular Principal Quality Standard or Teacher Quality Standard.
- 1.07 “Equity Pedagogy” refers to a commitment to a diverse population of students, demonstrated by the creation of an inclusive and positive school culture and strategies that meet the needs of diverse student talents, experiences and challenges. Equity pedagogy values students’ individual backgrounds as a resource and utilizes approaches to instruction and behavioral supports that build on student strengths.
- 1.08 “Licensed Personnel” mean any persons employed to instruct students or to administer, direct, or supervise the instructional program in a school in the state that hold a valid license or authorization pursuant to the provision of article 60.5 of title 22, Colorado Revised Statutes.
- 1.09 “Measures of Student Academic Growth” mean the methods used by School Districts and BOCES for measuring Student Academic Growth in order to evaluate Licensed Personnel.
- 1.10 “Performance Evaluation Rating” means the summative evaluation rating assigned by a School District or BOCES to licensed personnel and reported to the Department on an annual basis. It is the equivalent of a “performance standard,” as defined in section 22-9-103 (2.5), C.R.S.
- 1.11 “Pilot Period” means the time during which the Department will collaborate with School Districts and BOCES to develop, define, and improve the State Model System. The Pilot Period will end on July 2013 or when the State Model System based on the Principal and Teacher Quality Standards has been completed, and the commissioner has provided notice of such implementation to the revisor of statutes, whichever is later.
- 1.12 “Principal” means a person who is employed as the chief executive officer or an assistant chief executive officer of a school in the state and who administers, directs, or supervises the education program in the school.
- 1.13 “Principal Professional Performance Plan” means the plan required by section 22-9-105.5 (3), C.R.S., and is a written agreement developed by a Principal and School District administration or local school board that outlines the steps to be taken to improve the Principal's effectiveness. The Principal Professional Performance Plan shall include professional development opportunities.

- 1.14 “Principal Quality Standard” means the Professional Practice or focus on Student Academic Growth needed to achieve effectiveness as a Principal.
- 1.15 “Principal Evaluation System Framework” means the complete evaluation system that all School Districts and BOCES shall use to evaluate Principals employed by them. The complete Principal Evaluation System Framework includes the following component parts: (i) definition of Principal Effectiveness set forth in section 2.01 of these rules, (ii) the Principal Quality Standards described in section 2.02 of these rules, (iii) required elements of a written evaluation system described in section 5.01 of these rules, and (iv) the weighting and aggregation of evidence of performance that are used to assign a Principal to one of four Performance Evaluation Ratings as described in section 2.03 of these rules.
- 1.16 “Professional Practice” means the behaviors, skills, knowledge and dispositions that Educators should exhibit. Teacher Quality Standards I-V and Principal Quality Standards I-VI address the Professional Practice standards for Educators in Colorado.
- 1.17 “School District” or “District” means a School District organized and authorized by section 15 of Article IX of the state constitution and organized pursuant to article 30 of title 22, Colorado Revised Statutes.
- 1.18 “State Board” means the State Board of Education established pursuant to Section 1 of Article IX of the state constitution.
- 1.19 “State Council” means the state council for Educator effectiveness established pursuant to article 9 of title 22.
- 1.20 “State Model System” means the personnel evaluation system and supporting resources developed by the Department, which meets all of the requirements for local personnel evaluation systems that are outlined in statute and rule.
- 1.21 “Statewide Summative Assessments” mean the assessments administered pursuant to the Colorado student assessment program created in section 22-7-409, C.R.S., or as part of the system of assessments adopted by the State Board pursuant to section 22-7-1006, C.R.S.
- 1.22 “Student Academic Growth” means the change in student achievement against Colorado Academic Standards for an individual student between two or more points in time, which shall be determined using multiple measures, one of which shall be the results of Statewide Summative Assessments, and which may include other standards-based measures that are rigorous and comparable across classrooms of similar content areas and levels. Student Academic Growth also may include gains in progress towards postsecondary and workforce readiness, which, for Principals, may include performance outcomes for successive student cohorts. Student Academic Growth may include progress toward academic and functional goals included in an individualized education program and/or progress made towards Student Academic Growth Objectives.

- 1.23 “Student Academic Growth Objectives” mean a participatory method of setting measurable goals, or objectives for a specific assignment or class, in a manner aligned with the subject matter taught, and in a manner that allows for the evaluation of the baseline performance of students and the measureable gain in student performance during the course of instruction.
- 1.24 “Teacher” means a person who holds an alternative, initial, or professional Teacher license issued pursuant to the provisions of article 60.5 of title 22 and who is employed by a School District, BOCES or a charter school in the state to instruct, direct, or supervise an education program.
- 1.25 “Teacher Evaluation System Framework” means the complete evaluation system that all School Districts and BOCES shall use to evaluate Teachers employed by them. A diagram of the complete Teacher Evaluation System Framework includes the following component parts: (i) definition of Teacher Effectiveness set forth in section 3.01 of these rules, (ii) the Teacher Quality Standards described in section 3.02 of these rules, (iii) required elements of a written evaluation system described in section 5.01 of these rules, (iv) the weighting and aggregation of evidence of performance to assign a Teacher to one of four Performance Evaluation Ratings as described in section 3.03 of these rules, and (iv) the opportunity to appeal an ineffective rating as contemplated in section 22-9-105.5(3)(e)(VII), C.R.S.
- 1.26 “Teacher Quality Standard” means the Professional Practices or focus on Student Academic Growth needed to achieve effectiveness as a Teacher.
- 1.27 “Unified Improvement Plan” means the school plan required pursuant to section 22-11-210, C.R.S.

**2.00 PRINCIPALS: DEFINITION OF EFFECTIVENESS, QUALITY STANDARDS AND PERFORMANCE EVALUATION RATINGS**

**2.01 Definition of Principal Effectiveness.** Effective Principals in the state of Colorado are responsible for the collective success of their schools, including the learning, growth and achievement of both students and staff. As schools’ primary instructional leaders, effective Principals enable critical discourse and data-driven reflection about curriculum, assessment, instruction, and student progress, and create structures to facilitate improvement. Effective Principals are adept at creating systems that maximize the utilization of resources and human capital, foster collaboration, and facilitate constructive change. By creating a common vision and articulating shared values, effective Principals lead and manage their schools in a manner that supports schools’ ability to promote equity and to continually improve their positive impact on students and families.

**2.02 Principal Quality Standards.**

The Principal Quality Standards outline the knowledge and skills required of an effective Principal and will be used to evaluate Principals in the state of Colorado. All School Districts and BOCES shall base their evaluations of their Principals on either the full set of Principal Quality Standards and associated Elements included below, or shall adopt their own locally developed standards that meet

or exceed the Principal Quality Standards and Elements. A School District or BOCES that adopts its own locally developed standards shall crosswalk those standards to the Principal Quality Standards and Elements, so that the School District or BOCES is able to report the data required by section 6.04 of these rules.

**2.02 (A) Quality Standard I:** Principals demonstrate strategic leadership.

- 2.02 (A) (1) **Element a:** School Vision, Mission and Strategic Goals: Principals collaboratively develop the vision, mission, values, expectations and goals of the school, collaboratively determine the processes used to establish these foundations, and facilitate their integration into the life of the school community.
- 2.02 (A) (2) **Element b:** School Plan: Principals ensure that a plan is in place that supports improved academic achievement and developmental outcomes for all students, and provides for data-based progress monitoring.
- 2.02 (A) (3) **Element c:** Leading Change: Principals solicit input and collaborate with staff and their school community to implement strategies for change and improvements that result in improved achievement and developmental outcomes for all students.
- 2.02 (A) (4) **Element d:** Distributive Leadership: Principals create and utilize processes to distribute leadership and support collaborative efforts throughout the school among Teachers and Administrators.

**2.02 (B) Quality Standard II:** Principals demonstrate instructional leadership.

- 2.02 (B) (1) **Element a:** Curriculum, Instruction, Learning and Assessment: Principals promote school-wide efforts to establish, implement and refine appropriate expectations for curriculum, instructional practices, assessment and use of data on student learning based on scientific research and evidence-based practices that result in student academic achievement.
- 2.02 (B) (2) **Element b:** Instructional Time: Principals create processes and schedules which maximize instructional, collaborative and preparation time.
- 2.02 (B) (3) **Element c:** Implementing High-quality Instruction: Principals support Teachers through ongoing, actionable feedback and needs-based professional development to ensure that rigorous, relevant and evidence-based instruction and authentic learning experiences meet the needs of all students and are aligned across P-20.

2.02 (B) (4) **Element d:** High Expectations for all Students: Principals hold all staff accountable for setting and achieving rigorous performance goals for all students, and empower staff to achieve these goals across content areas.

2.02 (B) (5) **Element e:** Instructional Practices: Principals demonstrate a rich knowledge of effective instructional practices, as identified by research on best practices, in order to support and guide Teachers in data-based decision making regarding effective practices to maximize student success.

2.02 (C) **Quality Standard III:** Principals demonstrate school culture and equity leadership.

2.02 (C) (1) **Element a:** Intentional and Collaborative School Culture: Principals articulate, model and positively reinforce a clear vision and values of the school's culture, and involve students, families and staff in creating an inclusive and welcoming climate that supports it.

2.02 (C) (2) **Element b:** Commitment to the Whole Child: Principals promote the cognitive, physical, social and emotional health, growth and skill development of every student.

2.02 (C) (3) **Element c:** Equity Pedagogy: Principals demonstrate a commitment to a diverse population of students by creating an inclusive and positive school culture, and provide instruction in meeting the needs of diverse students, talents, experiences and challenges in support of student achievement.

2.02 (C) (4) **Element d:** Efficacy, Empowerment and a Culture of Continuous Improvement: Principals and their leadership team foster a school culture that encourages continual improvement through reliance on research, innovation, prudent risk-taking, high expectations for all students and Teachers, and a valid assessment of outcomes.

2.02 (D) **Quality Standard IV:** Principals demonstrate human resource leadership.

2.02 (D) (1) **Element a:** Professional Development/Learning Communities: Principals ensure that the school is a professional learning community that provides opportunities for collaboration, fosters Teacher learning and develops Teacher leaders in a manner that is consistent with local structures, contracts, policies and strategic plans.

2.02 (D) (2) **Element b:** Recruiting, Hiring, Placing, Mentoring, and Dismissal of Staff: Principals establish and effectively manage processes and systems that ensure a knowledgeable, high-quality, high-performing staff.

2.02 (D) (3) **Element c:** Teacher and Staff Evaluation: Principals evaluate staff performance using the District’s Educator evaluation system in order to ensure that Teachers and staff are evaluated in a fair and equitable manner with a focus on improving Teacher and staff performance and, thus, student achievement.

2.02 (E) **Quality Standard V:** Principals demonstrate managerial leadership.

2.02 (E) (1) **Element a:** School Resources and Budget: Principals establish systems for marshaling all available school resources to facilitate the work that needs to be done to improve student learning, academic achievement and overall healthy development for all students.

2.02 (E) (2) **Element b:** Conflict Management and Resolution: Principals proactively and efficiently manage the complexity of human interactions and relationships, including those among and between parents/guardians, students and staff.

2.02 (E) (3) **Element c:** Systematic Communication: Principals facilitate the design and utilization of various forms of formal and informal communication with all school stakeholders.

2.02 (E) (4) **Element d:** School-wide Expectations for Students and Staff: Principals ensure that clear expectations, structures, rules and procedures are established for students and staff.

2.02 (E) (5) **Element e:** Supporting Policies and Agreements: Principals regularly update their knowledge of federal and state laws, and School District and board policies, including negotiated agreements, if applicable, and establish processes to ensure that these policies, laws and agreements are consistently met and implemented.

2.02 (E) (6) **Element f:** Ensuring an Orderly and Supportive Environment: Principals ensure that the school provides an orderly and supportive environment that fosters a climate of safety, respect, and well-being.

2.02 (F) **Quality Standard VI:** Principals demonstrate external development leadership.

2.02 (F) (1) **Element a:** Family and Community Involvement and Outreach: Principals design and/or utilize structures and processes which result in family and community engagement, support and ownership for the school.

2.02 (F) (2) **Element b:** Professional Leadership Responsibilities: Principals strive to improve the profession by collaborating with their colleagues, School District leadership and other stakeholders to drive the development and

successful implementation of initiatives that better serve students, Teachers and schools at all levels of the education system. They ensure that these initiatives are consistent with federal and state laws, School District and board policies, and negotiated agreements where applicable.

2.02 (F) (3) **Element c:** Advocacy for the School: Principals develop systems and relationships to leverage the School District and community resources available to them both within and outside of the school in order to maximize the school's ability to serve the best interest of students and families.

2.02 (G) **Quality Standard VII:** Principals demonstrate leadership around Student Academic Growth.

2.02 (G) (1) **Element a:** Student Academic Achievement and Growth: Principals take responsibility for ensuring that all students are progressing toward postsecondary and workforce readiness standards to be mastered by high school graduation. Principals prepare students for success by ensuring mastery of all Colorado Academic Standards, including 21st century skills.

2.02 (G) (2) **Element b:** Student Academic Growth and Development: Principals take responsibility for facilitating the preparation of students with the skills, dispositions and attitudes necessary for success in work and postsecondary education, including democratic and civic participation.

2.02 (G) (3) **Element c:** Use of Data: Principals use evidence and data to evaluate the performance and practices of their schools, in order to continually improve attainment of Student Academic Growth. They take responsibility and devise an intentional plan for ensuring that staff is knowledgeable in how to utilize evidence and data to inform instructional decision making to maximize the educational opportunities and instructional program for every child.

**2.03 Performance Evaluation Ratings for Principals.** The following four Performance Evaluation Ratings for Principals shall be used statewide: ineffective, partially effective, effective, and highly effective.

2.03 (A) During the Pilot Period described in section 6.03 of these rules, the Department shall develop a personnel evaluation scoring matrix to aggregate evidence collected systematically on multiple measures of a Principal's performance on Principal Quality Standards I-VI (Professional Practice) into a single score and to aggregate evidence collected systematically on multiple measures of a Principal's performance on Principal Quality Standard VII (Student Academic Growth) into a single score. This scoring matrix shall be

based on recommendations from the State Council and information gathered from the pilot of the State Model System and the implementation of other local systems during the Pilot Period. School Districts and BOCES may use this scoring matrix as an example or may adopt their own scoring matrix, provided they ensure that each of the Principal Quality Standards I-VI has a measurable influence on the final Professional Practice score assigned to Principals.

2.03 (B) During the Pilot Period, the Department, based on recommendations from the State Council, also shall develop a decision-making structure for assigning Principals to one of four Principal Performance Evaluation Ratings once a year. School Districts and BOCES may use this decision-making structure as an example or may adopt their own structure, provided they ensure that each Performance Evaluation Rating is based fifty percent on Principal Quality Standard VII (Student Academic Growth) and that each of the Principal Quality Standards I-VI (Professional Practice) has a measurable influence on the final Performance Evaluation Rating.

2.03 (C) The Department shall develop model rubrics and tools for School Districts and BOCES to use in measuring each individual Principal's performance against the Principal Quality Standards. The Department also shall provide technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period that School Districts and BOCES may use in developing their own rubrics and tools if they choose to develop their own distinctive personnel evaluation system.

2.03 (D) During the Pilot Period, as the Department develops the State Model System's personnel evaluation framework and decision-making structure for assigning Performance Evaluation Ratings, the State Board will adopt statewide definitions for the Principal Performance Evaluation Ratings of highly effective, effective, partially effective and ineffective.

### **3.0 TEACHERS: DEFINITION OF EFFECTIVENESS, QUALITY STANDARDS, AND PERFORMANCE EVALUATION RATINGS**

**3.01 Definition of Teacher Effectiveness.** Effective Teachers in the state of Colorado have the knowledge, skills, and commitments needed to provide excellent and equitable learning opportunities and growth for all students. They strive to support growth and development, close achievement gaps and to prepare diverse student populations for postsecondary and workforce success. Effective Teachers facilitate mastery of content and skill development, and employ and adjust evidence-based strategies and approaches for students who are not achieving mastery and students who need acceleration. They also develop in students the skills, interests and abilities necessary to be lifelong learners, as well as for democratic and civic participation. Effective Teachers communicate high expectations to students and their families and utilize diverse strategies to engage them in a mutually supportive teaching and learning environment. Because effective Teachers understand that the work of ensuring meaningful learning opportunities for all students cannot happen in isolation, they engage in collaboration, continuous reflection, on-going learning and leadership within the profession.

**3.02 Teacher Quality Standards.** The Teacher Quality Standards outline the knowledge and skills required of an effective Teacher and will be used to evaluate Teachers in the state of Colorado. All School Districts and BOCES shall base their evaluations of licensed classroom Teachers on the full set of Teacher Quality Standards and associated detailed Elements included below, or shall adopt their own locally developed standards that meet or exceed the Teacher Quality Standards and Elements. School Districts and BOCES that adopt their own locally developed standards shall crosswalk those standards to the Teacher Quality Standards and Elements, so that the School District or BOCES is able to report the data required by section 6.04 of these rules.

3.02 (A) **Quality Standard I:** Teachers demonstrate mastery of and pedagogical expertise in the content they teach. The elementary Teacher is an expert in literacy and mathematics and is knowledgeable in all other content that he or she teaches (e.g., science, social studies, arts, physical education, or world languages). The secondary Teacher has knowledge of literacy and mathematics and is an expert in his or her content endorsement area(s).

3.02 (A) (1) **Element a:** Teachers provide instruction that is aligned with the Colorado Academic Standards; their District's organized plan of instruction; and the individual needs of their students.

3.02 (A) (2) **Element b:** Teachers demonstrate knowledge of student literacy development in reading, writing, speaking and listening.

3.02 (A) (3) **Element c:** Teachers demonstrate knowledge of mathematics and understand how to promote student development in numbers and operations, algebra, geometry and measurement, and data analysis and probability.

3.02 (A) (4) **Element d:** Teachers demonstrate knowledge of the content, central concepts, tools of inquiry, appropriate evidence-based instructional practices and specialized character of the disciplines being taught.

3.02 (A) (5) **Element e:** Teachers develop lessons that reflect the interconnectedness of content areas/disciplines.

3.02 (A) (6) **Element f:** Teachers make instruction and content relevant to students and take actions to connect students' background and contextual knowledge with new information being taught.

3.02 (B) **Quality Standard II:** Teachers establish a safe, inclusive and respectful learning environment for a diverse population of students.

- 3.02 (B) (1) **Element a:** Teachers foster a predictable learning environment in the classroom in which each student has a positive, nurturing relationship with caring adults and peers.
- 3.02 (B) (2) **Element b:** Teachers demonstrate a commitment to and respect for diversity, while working toward common goals as a community and as a country.
- 3.02 (B) (3) **Element c:** Teachers engage students as individuals with unique interests and strengths.
- 3.02 (B) (4) **Element d:** Teachers adapt their teaching for the benefit of all students, including those with special needs across a range of ability levels.
- 3.02 (B) (5) **Element e:** Teachers provide proactive, clear and constructive feedback to families about student progress and work collaboratively with the families and significant adults in the lives of their students.
- 3.02 (B) (6) **Element f:** Teachers create a learning environment characterized by acceptable student behavior, efficient use of time, and appropriate intervention strategies.

3.02 (C) **Quality Standard III:** Teachers plan and deliver effective instruction and create an environment that facilitates learning for their students.

- 3.02 (C) (1) **Element a:** Teachers demonstrate knowledge of current developmental science, the ways in which learning takes place, and the appropriate levels of intellectual, social, and emotional development of their students.
- 3.02 (C) (2) **Element b:** Teachers plan and consistently deliver instruction that draws on results of student assessments, is aligned to academic standards, and advances students' level of content knowledge and skills.
- 3.02 (C) (3) **Element c:** Teachers demonstrate a rich knowledge of current research on effective instructional practices to meet the developmental and academic needs of their students.
- 3.02 (C) (4) **Element d:** Teachers thoughtfully integrate and utilize appropriate available technology in their instruction to maximize student learning.
- 3.02 (C) (5) **Element e:** Teachers establish and communicate high expectations for all students and plan instruction that helps students develop critical-thinking and problem solving skills.

- 3.02 (C) (6) **Element f:** Teachers provide students with opportunities to work in teams and develop leadership qualities.
- 3.02 (C) (7) **Element g:** Teachers communicate effectively, making learning objectives clear and providing appropriate models of language.
- 3.02 (C) (8) **Element h:** Teachers use appropriate methods to assess what each student has learned, including formal and informal assessments, and use results to plan further instruction.

3.02 (D) **Quality Standard IV:** Teachers reflect on their practice.

- 3.02 (D) (1) **Element a:** Teachers demonstrate that they analyze student learning, development, and growth and apply what they learn to improve their practice.
- 3.02 (D) (2) **Element b:** Teachers link professional growth to their professional goals.
- 3.02 (D) (3) **Element c:** Teachers are able to respond to a complex, dynamic environment.

3.02 (E) **Quality Standard V:** Teachers demonstrate leadership.

- 3.02 (E) (1) **Element a:** Teachers demonstrate leadership in their schools.
- 3.02 (E) (2) **Element b:** Teachers contribute knowledge and skills to educational practices and the teaching profession.
- 3.02 (E) (3) **Element c:** Teachers advocate for schools and students, partnering with students, families and communities as appropriate.
- 3.02 (E) (4) **Element d:** Teachers demonstrate high ethical standards.

3.02 (F) **Quality Standard VI:** Teachers take responsibility for Student Academic Growth.

- 3.02 (F) (1) **Element a:** Teachers demonstrate high levels of student learning, growth and academic achievement.
- 3.02 (F) (2) **Element b:** Teachers demonstrate high levels of Student Academic Growth in the skills necessary for postsecondary and workforce readiness, including democratic and civic participation.  
Teachers demonstrate their ability to utilize multiple data sources and

evidence to evaluate their practice, and make adjustments where needed to continually improve attainment of Student Academic Growth.

**3.03 Performance Evaluation Ratings for Teachers.** The following four Performance Evaluation Ratings for Teachers shall be used statewide: ineffective, partially effective, effective, and highly effective.

3.03 (A) During the Pilot Period described in section 6.03 of these rules, the Department shall develop a personnel evaluation scoring matrix to aggregate evidence collected systematically on multiple measures of a Teacher's performance on Teacher Quality Standards I-V (Professional Practice) into a single score and to aggregate evidence collected systematically on multiple measures of a Teacher's performance on Teacher Quality Standard VI (Student Academic Growth) into a single score. This scoring matrix shall be informed by the illustrated matrix included in the State Council's report. School Districts and BOCES may use this scoring matrix as an example or may adopt their own scoring matrix, provided they ensure that each of the Teacher Quality Standards I-V has a measurable influence on the final Professional Practice score assigned to Teachers.

3.03 (B) During the Pilot Period, the Department, based on recommendations from the State Council, also shall develop a decision-making structure for assigning Teachers to one of the four Teacher Performance Evaluation Ratings once a year. School Districts and BOCES may use this decision-making structure as an example or may adopt their own structure, provided they ensure that each Performance Evaluation Rating is based fifty percent on the Teacher Quality Standard VI (Student Academic Growth) and that each of the Teacher Quality Standards I-V (Professional Practice) has a measurable influence on the final Performance Evaluation Rating.

3.03 (C) The Department will develop model rubrics and tools that School Districts and BOCES may use in measuring each individual Teacher's performance against the Teacher Quality Standards. The Department also shall provide technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period that School Districts and BOCES may use in developing their own rubrics and tools if they choose to develop their own distinctive personnel evaluation system.

3.03 (D) During the Pilot Period, as the Department develops the State Model System's personnel evaluation framework and decision-making structure for assigning Performance Evaluation Ratings, the State Board will adopt statewide definitions for the Teacher Performance Evaluation Ratings of highly effective, effective, partially effective and ineffective. School Districts and BOCES shall assign one of the Teacher Performance Evaluation Ratings to each Teacher in a written evaluation report. As required by section 22-9-106 (3), C.R.S., all evaluation reports must contain a written improvement plan, that

shall be specific as to what improvements, if any, are needed in the performance of the Teacher and shall clearly set forth recommendations for improvements, including recommendations for additional education and training during the Teacher's license renewal process. As required by section 22-9-105.5 (3) (a), C.R.S., each Teacher shall be 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 following status implications shall apply for each Teacher Performance Evaluation Rating. These status implications shall not apply to at-will employees.

**3.03 (D) (1) Ineffective.**

3.03 (D) (1) (a) Beginning with evaluations conducted during the 2014-15 school year, as required by section 22-9-106 (3.5) (b) (I), C.R.S., a Teacher whose performance is deemed ineffective shall receive written notice that his or her Performance Evaluation Rating shows a rating of ineffective, a copy of the documentation relied upon in measuring his or her performance, and identification of deficiencies.

3.03 (D) (1) (b) *Implications for earning or losing nonprobationary status:* Beginning with evaluations conducted during the 2013-14 school year, for probationary Teachers, a rating of ineffective shall not count towards the accrual of years towards nonprobationary status. Beginning with evaluations conducted during the 2014-15 school year, a nonprobationary Teacher who is rated as ineffective for two consecutive years shall lose nonprobationary status.

**3.03 (D) (2) Partially Effective.**

3.03 (D) (2) (a) *Implications for earning or losing nonprobationary status:*  
(i) Beginning with evaluations conducted during the 2013-14 school year, for a probationary Teacher, a rating of partially effective shall not count towards the accrual of three years of effectiveness needed to reach nonprobationary status.

(ii) Beginning with evaluations conducted during the 2014-15 school year, for a nonprobationary Teacher, a rating of partially effective shall be considered the first of two

consecutive years of ineffective performance that results in loss of nonprobationary status. Nonprobationary status in this instance shall only be lost if the Teacher is subsequently rated partially effective or ineffective during the following year.

3.03 (D) (3) **Effective.**

3.03 (D) (3) (a) *Implications for earning or losing nonprobationary status:* Beginning with evaluations conducted during the 2013-14 school year, a probationary Teacher shall receive a rating of effective for three consecutive years to earn nonprobationary status. Beginning with evaluations conducted during the 2014-15 school year, a nonprobationary Teacher must maintain an effective rating to retain nonprobationary status. Two consecutive ratings below effective shall result in the loss of nonprobationary status.

3.03 (D) (4) **Highly Effective.**

3.03 (D) (4) (a) *Implications for earning or losing nonprobationary status:* For the purposes of gaining or losing nonprobationary status, a rating of highly effective shall have the same implications as a rating of effective.

4.00 **[Reserved: MEASURING PERFORMANCE OF OTHER LICENSED PERSONNEL]**

4.01 **[Reserved: Definition of Effectiveness for Other Licensed Personnel]**

4.02 **[Reserved: Performance Evaluation Ratings for Other Licensed Personnel]**

5.0 **LOCAL PERFORMANCE EVALUATION SYSTEMS: DUTIES AND POWERS OF LOCAL SCHOOL BOARDS AND BOARDS OF COOPERATIVE EDUCATION SERVICES**

5.01 **Required Components of Written Local Evaluation System.** Every School District and BOCES shall adopt a written evaluation system that shall contain, but need not be limited to, the following information:

5.01 (A) The **purposes of the evaluation system**, which shall include but need not be limited to the following:

- 5.01 (A) (1) providing a basis for the improvement of instruction;
  - 5.01 (A) (2) enhancing implementation of programs of curriculum;
  - 5.01 (A) (3) providing the measurement of satisfactory performance for individual licensed personnel and serving as documentation for an unsatisfactory performance dismissal proceeding under article 63 of title 22;
  - 5.01 (A) (4) serving as a measurement of the professional growth and development of licensed personnel; and
  - 5.01 (A) (5) (a) measuring the level of performance of all licensed personnel within the School District or employed by the BOCES, until the School District or BOCES begins to apply the Principal and Teacher Quality Standards and (b) measuring the effectiveness of all licensed personnel with the School District or employed by the BOCES according to the Principal and Teacher Quality Standards, no later than July 2013.
- 5.01 (B) The licensed personnel **positions to be evaluated**, which shall include all licensed personnel, all part-time Teachers as defined in section 22-63-103 (6), C.R.S., and all Administrators and Principals;
- 5.01 (C) The **title or position of the evaluator** for each licensed personnel position to be evaluated;
- 5.01 (D) Until the School District or BOCES applies the Teacher Quality Standards and Principal Quality Standards, which must occur no later than July 2013, the standards set by the local school board or BOCES for satisfactory performance for licensed personnel and the criteria to be used to evaluate that licensed person's performance against such standards;
- 5.01 (E) No later than July 2013, the **standards** set by the local school board or BOCES for effective performance for licensed personnel and the **criteria** to be used to evaluate the performance of each licensed person against such standards. Though the selected criteria may vary among categories of personnel, in order to reflect the diversity of students taught by Educators, the School District's or BOCES' evaluation system shall apply consistent criteria to each category of personnel, including to various categories of Principals and Teachers;
- 5.01 (E) (1) **Principal Effectiveness and Principal Quality Standards.** No later than July 2013, the definition of Principal effectiveness, included in section 2.01 of these rules, and either the Principal Quality Standards and associated Elements, included in section 2.02 of these rules, or locally adopted standards that meet or exceed the Principal Quality Standards and Elements.

5.01 (E) (2) **Method for Evaluating Performance on Professional Practice.** No later than July 2013, a description of the method for evaluating Principals' Professional Practice, which method shall include data collection for multiple measures on multiple occasions.

5.01 (E) (2) (a) **Required Measures of Principal Professional Practice.**

School Districts and BOCES shall measure Principal performance against Quality Standards I –VI using tools that capture information about the following: (i)input from Teachers employed at the Principal's school, provided that clear expectation is established prior to collection of the data that at least one of the purposes of collecting the input is to inform an evaluation of the Principal's performance and provided that systems are put in place to ensure that the information collected remains anonymous and confidential; and (ii) the percentage and number of Teachers in the school who are rated as effective, highly effective; partially effective; and ineffective, and the number and percentage of Teachers who are improving their performance, in comparison to the goals articulated in the Principal's Professional Performance Plan.

5.01 (E) (2) (b) **Additional Measures of Principal Professional Practice.** In

addition to the required measures of Professional Practice, School Districts and BOCES may also use other sources of evidence regarding a Principal's Professional Practice. School Districts and BOCES are strongly encouraged to use measures, where appropriate, that capture evidence about the following: (i) student perceptions; (ii) parent/guardian perceptions; and (iii) perceptions of other Administrators about a Principal's professional performance. Other measures may include the following: (i) direct observations; and (ii) examination of a portfolio of relevant documentation regarding the Principal's performance against the Principal Quality Standards, which may include but need not be limited to professional development strategies and opportunities, evidence of team development, staff meeting notes, school newsletters; content of website pages, award structures developed by the school, master school schedule, or evidence of community partnerships, parent engagement and participation rates, "360 degree" survey tools designed to

solicit feedback from multiple stakeholder perspectives, examination of a Unified Improvement Plan, Teacher retention data, external review of budgets, and school communications plan. The Department also shall provide technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period that School Districts and BOCES may use in developing their own measures of Professional Practice.

- 5.01 (E) (3) **Method for Evaluating Principal Performance Related to Student Academic Growth.** No later than July 2013, a description of the method for evaluating Principals' performance related to Student Academic Growth. The Measures of Student Academic Growth used for evaluating Principals' performance against Quality Standard VII must meet the following criteria:
- 5.01 (E) (3) (a) School Districts and BOCES shall ensure that data included in the school performance framework, required pursuant to section 22-11-204, C.R.S., is used to evaluate Principal performance. School Districts and BOCES may choose to weight specific components of the school performance framework differently than they are weighted in the school performance framework, depending on the Principal's responsibilities and the performance needs of the school, so long as student longitudinal growth carries the greatest weight.
  - 5.01 (E) (3) (b) School Districts and BOCES shall incorporate at least one other Measure of Student Academic Growth and must ensure that the Measures of Student Academic Growth selected for Principal evaluations are consistent with the Measures of Student Academic Growth used for the evaluation of Teachers in each Principal's school, as described in section 5.01 (E) (7) of these rules.
  - 5.01 (E) (3) (c) School Districts and BOCES are strongly encouraged to involve principals in a discussion of which of the available Measures of Student Academic Growth are appropriate to the Principals' schools and school improvement efforts.
  - 5.01 (E) (3) (d) Measures of Student Academic Growth shall reflect the growth of students in all subject areas and grades, not only

those in subjects and grades that are tested using Statewide Summative Assessments, and shall reflect the broader responsibility a Principal has for ensuring the overall outcomes of students in the building.

- 5.01 (E) (3) (e) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth correspond to implementation benchmarks and targets included in the Unified Improvement Plan for the school at which a Principal is employed.
- 5.01 (E) (3) (f) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth are valid, meaning that they measure growth towards attainment of the academic standards adopted by the local school board pursuant to § 22-7-1013, C.R.S. and that analysis and inferences from the measures can be supported by evidence and logic.
- 5.01 (E) (3) (g) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth are reliable, meaning that the measures should be reasonably stable over time and in substance and that data from the measures will be sufficient to warrant reasonably consistent inferences.
- 5.01 (E) (3) (h) **Early Childhood - Grade 3.** For the evaluations of Principals responsible for students in early childhood education through grade 3, measures shall be consistent with outcomes used as the basis for evaluations for Teachers teaching these grade levels, which may include, but are not limited to, assessments of early literacy and/or mathematics shared among members of the school community that may be used to measure student longitudinal growth.
- 5.01 (E) (3) (i) **Grades 4 - 8.** For the evaluation of Principals responsible for students in grades 4-8, a portion of the Principal's evaluation for Quality Standard VII shall be based on the results of the Colorado longitudinal growth model, calculated pursuant to section 22-11-203, C.R.S., for subjects tested by Statewide Summative Assessments.

The weight of this measure may be increased to reflect the increased proportion of subjects covered by Statewide Summative Assessments over time. A portion of the Principal's evaluation for Quality Standard VII also shall be based on other appropriate Measures of Student Academic Growth for students in grades 4-8, which may include, but are not limited to, Measures of Student Academic Growth shared among the evaluated personnel in the school.

5.01 (E) (3) (j) **Grades 9 - 12.** For the evaluation of Principals responsible for students in grades 9-12, a portion of the Principal's evaluation for Quality Standard VII shall be based on the results of the Colorado longitudinal growth model, calculated pursuant to section 22-11-203, C.R.S., for subjects tested by state summative assessments. To account for the portion of Teachers without direct or indirect results from the Colorado longitudinal growth model, a portion of a Principal's growth determination may be based upon appropriate Measures of Student Academic Growth for personnel teaching in subjects and grades not tested by Statewide Summative Assessments, which may include, but are not limited to, Measures of Student Academic Growth shared among evaluated personnel in the school.

5.01 (E) (3) (k) For the evaluation of Principals responsible for students in multiple grade spans, School Districts and BOCES shall select a combination of Measures of Student Academic Growth reflecting the grade levels of all students in the school.

5.01 (E) (3) (l) When compiling Measures of Student Academic Growth to evaluate performance against Principal Quality Standard VII, School Districts and BOCES shall give the most weight to those measures that demonstrate the highest technical quality and rigor.

5.01 (E) (4) **Weighting of Performance on Principal Quality Standards.** No later than July 2013, a description of the manner in which performance on each of the Principal Quality Standards will be weighed in assigning Principals to a Performance Evaluation Rating. Measures of Principal Professional Practice shall determine fifty percent of a Principal's overall Performance Evaluation

Rating, and Measures of Student Academic Growth shall determine the other fifty percent of the overall Performance Evaluation Rating. Each of the Principal Quality Standards I-VI (Professional Practice) shall have a measurable influence on the overall Performance Evaluation Rating

- 5.01 (E) (5) **Teacher Effectiveness and Teacher Quality Standards.** No later than July 2013, the definition of Teacher effectiveness, included in section 3.01 of these rules, and either the Teacher Quality Standards and associated Elements, included in section 3.02 of these rules, or locally adopted standards that meet or exceed the Teacher Quality Standards and Elements.
- 5.01 (E) (6) **Method for Evaluating Teacher Professional Practice.** No later than July 2013, a description of the method for evaluating Teachers' Professional Practice, which method shall include data collection for multiple measures on multiple occasions. School Districts and BOCES shall collect Teacher performance data related to Professional Practice using observations and at least one of the following measures: (a) student perception measures (e.g. surveys), where appropriate and feasible, (b) peer feedback, (c) feedback from parents or guardians; or (d) review of Teacher lesson plans or student work samples.

The method for evaluating Teachers' Professional Practice may include additional measures. The Department also shall provide technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period that School Districts and BOCES may use in developing their own measures of Professional Practice.

In determining how to use the data collected about Teacher performance, whether for written evaluation reports or for informal feedback and identification of appropriate professional development, School Districts and BOCES shall consider the technical quality and rigor of the methods used to collect the data, and the technical quality of the data itself.

- 5.01 (E) (7) **Method for Evaluating Teacher Performance Related to Student Academic Growth.** No later than July 2013, a description of the method for evaluating Teachers' performance related to Student Academic Growth.

School Districts and BOCES shall categorize Teachers into appropriate categories based on the availability and technical quality of student assessments available for the courses and subjects taught by those

Teachers. School Districts and BOCES shall then choose or develop appropriate Measures of Student Academic Growth to be used in the evaluation of each personnel category. The Department will develop technical guidance, based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period, which School Districts and BOCES may choose to use in developing their own Measures of Student Academic Growth. This technical guidance shall address methods for ensuring that such Measures of Student Academic Growth meet minimum standards of credibility, validity, and reliability.

Measures of Student Academic Growth shall be generated from an approach or model that makes design choices explicit and transparent (e.g., in a value-added model, transparency about student- or school-level factors which are statistically-controlled for) and has technical documentation sufficient for an outside observer to judge the technical quality of the approach (i.e., a value-added system must provide adequate information about the model). Measures of Student Academic Growth shall be generated from an approach or model that presents results in a manner that can be understood and used by Educators to improve student performance.

Student Academic Growth shall be measured using multiple measures. When compiling these measures to evaluate performance against Teacher Quality Standard VI, School Districts and BOCES shall consider the relative technical quality and rigor of the various measures.

Measures of Student Academic Growth shall include the following:

- 5.01 (E) (7) (a) A measure of individually-attributed Student Academic Growth, meaning that outcomes on that measure are attributed to an individual licensed person;
- 5.01 (E) (7) (b) A measure of collectively-attributed Student Academic Growth, whether on a school-wide basis or across grades or subjects, meaning that outcomes on that measure are attributed to at least two licensed personnel (e.g., measures included in the school performance framework, required pursuant to section 22-11-204, C.R.S.);
- 5.01 (E) (7) (c) When available, Statewide Summative Assessment results; and

5.01 (E) (7) (d) For subjects with annual Statewide Summative Assessment results available in two consecutive grades, results from the Colorado Growth Model.

5.01 (E) (8) **Selection of Additional Measures for Evaluating Teacher Performance Related to Student Academic Growth.** The method for evaluating Teachers' performance related to Student Academic Growth may include Measures of Student Academic Growth in addition to those described in section 5.01 (E) (7) of these rules. These additional measures shall meet the following criteria:

5.01 (E) (8) (a) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth are valid, meaning that the measures are aligned with the academic standards adopted by the local school board pursuant to § 22-7-1013, C.R.S. and that analysis and inferences from the measures can be supported by evidence and logic;

5.01 (E) (8) (b) School Districts and BOCES shall seek to ensure that Measures of Student Academic Growth are reliable, meaning that the measures should be stable over time and in substance and that data from the measures will be sufficient to warrant reasonably consistent inferences;

5.01 (E) (8) (c) In the effort to ensure that Measures of Student Academic Growth are comparable among Teachers of similar content areas and grades, School Districts and BOCES are strongly encouraged to include Teachers in a discussion of which measures are most appropriate to the Teachers' classrooms; and

5.01 (E) (8) (c) For Teachers teaching two or more subjects, individual Measures of Student Academic Growth shall include Student Academic Growth scores from all subjects for which the Teacher is responsible.

5.01 (E) (9) **Weighting of Performance on Teacher Quality Standards.** No later than July 2013, a description of the manner in which performance on each of the Teacher Quality Standards will be weighted in assigning Teachers to a Performance Evaluation Rating.

Measures of Teacher Professional Practice shall determine fifty percent of a Teacher's total overall Performance Evaluation Rating, and Measures of Student Academic Growth shall determine the other fifty percent of the overall Performance Evaluation Rating. Each of the Teacher Quality Standards I-V (Professional Practice) shall have a measurable influence on the final Performance Evaluation Rating.

5.01 (F) The ***frequency and duration of the evaluations***, which shall be on a regular basis and of such frequency and duration as to ensure the collection of a sufficient amount of data from which fair and reliable conclusions may be drawn, and which shall meet the following requirements;

5.01 (F) (1) **Principals.** Principals shall receive at least one evaluation that results in a written evaluation report each academic year. The written evaluation report, informed by a body of evidence collected systematically in the months prior, shall rate a Principal as highly effective, effective, partially effective, or ineffective.

5.01 (F) (2) **Teachers.** Probationary Teachers shall receive at least two documented observations and at least one evaluation that results in a written evaluation report each academic year. Nonprobationary Teachers shall receive a written evaluation report each academic year.

The written evaluation report, informed by a body of evidence collected in the months prior, shall include fair and reliable measures of the Teacher's performance against the Teacher Quality Standards and be used to rate a Teacher as highly effective, effective, partially effective, or ineffective. Teachers shall receive the written evaluation report at least two weeks before the last class day of the school year.

5.01 (F) (3) **Ongoing Data Collection and Analysis.** School Districts and BOCES shall collect and analyze data on multiple occasions, in order to provide actionable feedback and support to Educators on a regular basis in an effort to make evaluation an ongoing process rather than an event and to facilitate continuous improvement.

5.01 (F) (4) **Differentiated Evaluation and Support Needs.** District evaluation policies may reflect a determination that different categories of Teachers require varying degrees of evaluation and support.

5.01 (G) A description of the process that the School District or BOCES used for **validating the evaluation methods** selected by the School District or BOCES. Such process shall address:

- 5.01 (G) (1) consistency among the multiple measures used for evaluations;
- 5.01 (G) (2) inter-rater reliability when the measures are applied by different evaluators; and
- 5.01 (G) (2) consistency of data used to evaluate performance (i.e., observation, surveys, Measures of Student Academic Growth) and the Performance Evaluation Ratings that are assigned.

5.01 (H) A description of the School District's or BOCES' system for ensuring that every Principal is provided with a **Principal Professional Performance Plan**.

- 5.01 (H) (1) This Principal Professional Performance Plan shall be developed in collaboration with individual Principals and shall outline annual goals for the Principal with respect to his or her school's performance and the resources and supports which will be made available to support the Principal in achieving the outlined goals. A Principal's Professional Performance Plan shall be consistent with the measures that are used to evaluate that Principal and how the Principal Quality Standards are weighted for that Principal's evaluation. School Districts and BOCES are encouraged to include goals related to a Principal's and his or designee's ability to conduct meaningful evaluations of licensed personnel.
- 5.01 (H) (2) Principals shall be held accountable for progress against the goals laid out in the Principal Professional Performance Plan and School Districts or BOCES shall continually monitor Principal performance goals, provide feedback and adjust support for the Principal as needed.
- 5.01 (H) (3) The Principal Professional Performance Plan shall include the following:
  - 5.01 (H) (3) (a) Goals addressing the number and percentages of effective Teachers in the school, and the number and percentage of Teachers who are improving, in a manner consistent with the goals for the school outlined in the school's Unified Improvement Plan; and

5.01 (H) (3) (b) Goals addressing school climate and working conditions, developed with reference to a working conditions or school leadership survey (for example, the state-funded biennial Teaching, Empowering, Leading, and Learning (TELL) initiative survey, required pursuant to section 22-2-503, C.R.S.), and other appropriate data, including conditions highlighted in comprehensive appraisal for district improvement (CADI) and school support team (SST) diagnostic reviews facilitated by the Department.

5.01 (H) (4) School Districts and BOCES are also strongly encouraged to include in Principal Professional Performance Plans goals related to staff participation in the TELL initiative survey, required pursuant to section 22-2-503, C.R.S., or other working conditions, culture and climate, or school leadership surveys, and use of survey results to guide improvement efforts.

**5.02 Process for Developing Written Local Evaluation System.** Colorado statute outlines requirements for various entities to be involved in the development of local personnel evaluation systems. School Districts and BOCES shall collaborate with these entities in developing systems that meet the minimum requirements for evaluation systems described in section 5.01 of these rules.

5.02 (A) Each School District shall have a ***School District advisory personnel performance evaluation council***, which shall, at a minimum, consist of the following members to be appointed by the local school board:

5.02 (A) (1) One Teacher;

5.02 (A) (2) One Administrator;

5.02 (A) (3) One Principal from the School District;

5.02 (A) (4) One resident from the School District who is a parent of a child attending a school within the School District; and

5.02 (A) (5) One resident of the School District who is not a parent with a child attending school within the School District.

5.02 (B) The council for a school district may be composed of any other School District committee having proper membership, as defined in section 5.02 (A) of these rules.

5.02 (C) Each BOCES that employs licensed personnel must have a **BOCES advisory personnel performance evaluation council**, which shall, at a minimum, consist of the following members to be appointed by the BOCES:

5.02 (C) (1) One Teacher;

5.02 (C) (2) One Administrator;

5.02 (C) (3) One Principal representative of the School District or Districts participating in the BOCES;

5.02 (C) (4) One person employed by the BOCES who is defined as licensed personnel pursuant to section 22-9-103 (1.5), C.R.S.;

5.02 (C) (5) One resident who is a parent of a child attending a school within the participating School District(s); and

5.02 (C) (6) One resident who is not a parent of a child attending a school within the participating School District(s).

5.02 (D) These advisory personnel performance evaluation councils shall consult with the local school board or BOCES as to the fairness, effectiveness, credibility, and professional quality of the licensed personnel performance evaluation system and its processes and procedures and shall conduct continuous evaluation of the system.

5.02 (E) Additionally, each Local School Board, pursuant to section 22-11-301, C.R.S., shall appoint or create a process for the election of a **district accountability committee** that shall consist of:

5.02 (E) (1) At least three parents of students enrolled in the School District public schools;

5.02 (E) (2) At least one Teacher who is employed by the School District;

5.02 (E) (3) At least one school Administrator who is employed by the School District; and

5.02 (E) (4) At least one person who is involved in business in the community within the School District boundaries.

5.02 (F) Among the other powers and duties outlined in section 22-11-302, C.R.S., a district accountability committee shall be responsible for providing input and recommendations on an advisory basis to Principals concerning the development and use of assessment tools used for the purpose of measuring and evaluating Student Academic Growth as it relates to Teacher evaluations.

5.02 (G) Each public school, pursuant to section 22-11-401, C.R.S., shall establish a ***school accountability committee***, that shall consist of at least the following members:

- 5.02 (G) (1) the Principal of the school or the Principal's designee;
- 5.02 (G) (2) at least one Teacher who provides instruction at the school;
- 5.02 (G) (3) at least three parents of students enrolled in the school;
- 5.02 (G) (4) at least one adult member of an organization of parents, Teachers and students recognized by the school; and
- 5.02 (G) (5) at least one person from the community.

5.02 (H) Among the other powers and duties outlined in section 22-11-402, C.R.S., a school accountability committee shall be responsible for providing input and recommendations on an advisory basis to district accountability committees and School District administration concerning the Principal Professional Performance Plan for the Principal of their school and Principal evaluations.

### **5.03 Training for Evaluators and Educators**

- 5.03 (A) School Districts and BOCES shall provide training to all evaluators and Educators to provide an understanding of their local evaluation system and to provide the skills and knowledge needed for implementation of the system.
- 5.03 (B) As required by section 22-9-106 (4) (a), C.R.S., all performance evaluations must be conducted by an individual who has completed a training in evaluation skills that has been approved by the Department. Teachers may fill the role of an evaluator if they are a designee of an individual with a Principal or Administrator license and have completed a training on evaluation skills that has been approved by the Department. The Department shall develop a process for approving education and training programs for evaluators that is consistent with the approval process previously developed pursuant to section 22-9-108, C.R.S.
- 5.03 (C) School Districts and BOCES are encouraged to provide training to Teachers, so that Teachers may conduct peer coaching observations in order to support other Teachers by providing actionable feedback on Professional Practice.
- 5.03 (D) School Districts and BOCES shall clearly communicate to all Teachers the tools that will be used to measure their performance of the Teacher Quality Standards prior to their use, and how these will be weighted and aggregated to determine final Performance Evaluation

Ratings. School Districts and BOCES shall clearly articulate to each Educator the category or categories of personnel into which they are assigned, and how the growth of the students they teach will be measured for the purpose of informing their Performance Evaluation Rating. School Districts and BOCES that elect to adopt their own locally-developed quality standards for evaluating Teachers shall clearly communicate how those local standards align with the state's Teacher Quality Standards. School Districts and BOCES shall clearly communicate to Teachers the consequences of each category of Performance Evaluation Rating, including how each Teacher's assigned Performance Evaluation Rating contributes to the loss or gain of nonprobationary status for that Teacher.

5.03 (E) School Districts and BOCES shall clearly communicate to all Principals the tools that will be used to measure their performance on the Principal Quality Standards prior to their use, how the selected measurement tools will be used to determine his or her performance on each Principal Quality Standard, the party or parties responsible for making decisions, and how these multiple measures will be weighted and aggregated to determine final Performance Evaluation Ratings. School Districts and BOCES shall clearly articulate to Principals how Student Academic Growth for Principals will be measured, and delineate the manner in which these measures are aligned with the Growth Measures for Teachers. School Districts and BOCES that elect to adopt their own locally-developed quality standards for evaluating Principals shall clearly communicate how those local standards align with the state's Principal Quality Standards. School Districts and BOCES shall clearly communicate to Principals the consequences of each category of Performance Evaluation Rating.

5.03 (F) School Districts and BOCES shall provide training to Educators to help them understand how the growth of the students for which they are responsible will be measured for their performance evaluation, and to assist Educators in responding to Student Academic Growth data.

**5.04 [Reserved: Process for Nonprobationary Teacher to Appeal Second Consecutive Performance Rating of Ineffective]**

**6.0 SUPPORTING PILOTING AND IMPLEMENTATION OF REQUIREMENTS FOR LOCAL PERFORMANCE EVALUATION SYSTEMS: DUTIES AND POWERS OF COLORADO DEPARTMENT OF EDUCATION**

**6.01 Development of Model Principal and Teacher Evaluation System**

6.01(A) The Department, in consultation with the State Council, shall develop a model Principal and Teacher evaluation system that includes the Principal and Teacher Quality Standards and the personnel evaluation framework and decision-making structure for assigning Performance Evaluation Ratings that are developed by the Department informed by recommendations from the State Council. The State Model System also shall meet all of the requirements described in section 5.01 of these rules that have the following characteristics:

- 6.01 (A) (1) is complete and fully developed and is ready for implementation by School Districts and BOCES that choose to use it;
  - 6.01 (A) (2) is coherent, in that all components of the system are connected and well-aligned to one another;
  - 6.01 (A) (3) is comprehensive, in that the system, over time, serves all licensed personnel;
  - 6.01 (A) (4) is adaptable for use by School Districts of various sizes and geographical locations; and
  - 6.01 (A) (5) is supported, in that the Department provides supports for School Districts and BOCES using the State Model System.
- 6.01(B) The creation of the State Model System shall support Districts by providing an exemplar system; enable the state to create a high quality system by collecting and analyzing feedback and information during the Pilot Period that will be used to drive systems improvement; and facilitate the ability to identify and disseminate professional and instructional supports directly aligned to the identified needs of Educators. Each School District and BOCES may adopt the State Model System or develop its own distinctive personnel evaluation system that satisfies the requirements in section 5.01 of these rules.
- 6.01 (C) The Department shall provide the following resources for School Districts and BOCES that choose to use the State Model System:
- 6.01 (C) (1) evaluation process;
  - 6.01 (C) (2) rubrics, tools and templates;
  - 6.01 (C) (3) guidance on the development and selection of appropriate measures of student learning;
  - 6.01 (C) (4) support in analyzing state-collected data that may be used in evaluations;
  - 6.01 (C) (5) implementation support;
  - 6.01 (C) (6) initial and ongoing training for evaluators on the use of the State Model System rubrics, tools and templates; and
  - 6.01 (C) (7) guidelines for implementation of the State Model System and for training on implementation.

6.01 (D) The Department shall develop technical guidance regarding the development and use of various Student Academic Growth approaches by School Districts and BOCES, which shall be updated as research and best practices evolve. This technical guidance shall be based on research and best practices that emerge from the pilot of the State Model System and the implementation of other local systems during the Pilot Period, and School Districts and BOCES may choose to use the technical guidance in developing their own rubrics and tools if they choose to develop their own distinctive personnel evaluation system. Approaches to be addressed within these guidance documents include, but are not limited to:

6.01 (D) (1) the development and use of Teacher-, school- or District-developed assessments;

6.01 (D) (2) the use of commercially available interim, summative and pre- and post-course assessments;

6.01 (D) (3) the development and use of Student Academic Growth objectives;

6.01 (D) (4) the development and use of other goal-setting approaches; and

6.01 (D) (5) piloting of new and innovative practices.

6.01 (E) The Department shall develop and/or provide examples of the following:

6.01 (E) (1) approaches to categorizing personnel for the purposes of measuring individual Student Academic Growth; and

6.01 (E) (2) approaches to categorizing personnel for the purposes of joint attribution of Student Academic Growth; and

## **6.02 Development of Online Resource Bank**

6.02 (A) The Department shall create an online, searchable resource bank where School Districts can find resources to implement the State Model System or to develop their own local performance evaluation system.

6.02 (B) The Department shall seek input from interested parties on a regular basis to ensure that the resource bank is meeting user needs, and shall review and as necessary update the resource bank at least annually.

6.02 (C) The resource bank shall have the following characteristics:

- 6.02 (C) (1) it shall effectively support School Districts and BOCES in the design, implementation and ongoing support of their local performance evaluation systems;
- 6.02 (C) (2) it shall provide timely information at each stage of implementation that is relevant to current School District needs;
- 6.02 (C) (3) it shall be comprehensive in scope and include a broad array of materials applicable to multiple School District contexts, including exemplar lessons contributed from Educators across the state;
- 6.02 (C) (4) it shall include a meaningful quality control process to ensure that resources placed in the resource bank have been reviewed for quality; and
- 6.02 (C) (5) it shall be easy to navigate and have a robust search function.

**6.03 Piloting of State Model Principal and Teacher Evaluation System**

6.03 (A) The Department, with ongoing support from the State Council, shall select School Districts to pilot various components of the State Model System.

6.03 (B) **Selection of Participating School Districts and BOCES.** The Department will select participating Districts and BOCES on the basis of interest and varying stages of readiness and geographic and size distribution. Selected School Districts and BOCES shall include those that will implement only the aspects of the State Model System that are required by section 5.01 of these rules and those that will implement the State Model System in its entirety, using the same measurement tools, weightings and aggregation methods.

6.03 (C) **Objectives of Pilot Period.** The Department will support the following activities while piloting the State Model System:

- 6.03 (C) (1) development of methods that can be used reliably to assess Student Academic Growth, by facilitating collaboration across the state to develop Measures of Student Academic Growth for all subjects for early childhood through twelfth grade;
- 6.03 (C) (2) use of a Student Academic Growth Objective-based approach to calculating an individual Teacher's Student Academic Growth performance;
- 6.03 (C) (3) use of a measurement tool for collecting Teacher and staff perceptions about schools against the Principal Quality Standards;

- 6.03 (C) (4) use of a measurement tool for collecting student and family perception data;
- 6.03 (C) (5) use of a common statewide personnel evaluation framework and decision-making structure to assign Principals and Teachers to Performance Evaluation Ratings, as described in sections 2.03 and 3.03 of these rules;
- 6.03 (C) (6) analysis of the quality of available measures in evaluating Professional Practice and Student Academic Growth for Principals and Teachers;
- 6.03 (C) (7) information gathering about the costs to various School Districts to implement the State Model System or other systems that comply with all applicable statutory and regulatory requirements;
- 6.03 (C) (8) identification of the resources needed to support School Districts and BOCES based on local characteristics, such as size and geography, Educator demographics, and student demographics;
- 6.03 (C) (9) analysis of the efficiency and effectiveness of BOCES or other structures to support small and/or rural School Districts in implementing evaluation systems that comply with all applicable statutory and regulatory requirements;
- 6.03 (C) (10) development and refinement of a method for the Department to monitor implementation of local personnel evaluation systems and
- 6.03 (C) (11) learning about and from the State Model System in order to make improvements to that system.

6.03 (D) During the Pilot Period, School Districts and BOCES that pilot the State Model System to assign Educators to Performance Evaluation Ratings shall not use these ratings in determining the loss or gain of nonprobationary status for Teachers. Because the intent of the Pilot Period is to test the State Model System, a Teacher whose performance is or is likely to be deemed “ineffective” using the State Model System during the Pilot Period shall be evaluated using the existing personnel evaluation system in place in the participating School District or BOCES.

6.03 (E) **Evaluation of Pilot.** The Department shall evaluate the pilot in order to learn and improve the State Model System by, among other things:

- 6.03 (E) (1) identifying and capturing the critical elements of local implementation and training and the state supports needed to implement high-quality systems statewide;

- 6.03 (E) (2) identifying and capturing innovative practices that School Districts are developing and using that can improve the State Model System; and
- 6.03 (E) (3) assessing the interest among School Districts in the use of the State Model System and identifying barriers to strong local implementation of the State Model System.

**6.04 Monitoring and Reporting on Implementation of Requirements for Local Evaluation**

**Systems.** The Department shall monitor School Districts' and BOCES' implementation of the requirements for local personnel evaluation systems as described in these rules and as otherwise required by federal or state statute and regulation. The intent of monitoring these systems shall be to understand whether they are implemented in a manner that provides Educators with evaluations using multiple, fair, transparent, timely, rigorous and valid methods and ensures that Educators receive adequate feedback and professional development support to provide them a meaningful opportunity to improve their effectiveness.

Beginning in July 2013, the Department will collect an assurance from each School District and BOCES no later than July 1 of each year, indicating that the School District or BOCES is either implementing the State Model System or is implementing its own distinctive personnel evaluation system that satisfies the requirements in section 5.01 of these rules. These assurances shall be signed by (i) the executive director of the BOCES or superintendent of the School District, and (ii) the chair of the BOCES or local school board.

Additional methods that the Department may use to monitor local personnel evaluation systems are (i) integrating information about evaluation systems into accountability and improvement efforts, including, if applicable, the school and District performance reports, required pursuant to section 22-11-503, C.R.S., and (ii) incorporating monitoring data into school and District Unified Improvement Plans.

6.04 (A) School Districts and BOCES shall submit data, as requested by the Department, to allow said monitoring to occur and the Department will report this data on the SchoolView data portal. In order to report required data to the Department, School Districts and BOCES shall categorize all Teachers they employ as a Teacher of record and/or contributing professional, using the statewide definitions of those terms that are established by the Department.

6.04 (B) The Department shall only publicly report data related to Performance Evaluation Ratings in the aggregate at the school-, District- and state-level, and shall not publicly report this data for cohorts smaller than five Educators.

6.04 (C) The Department shall publish online the results of these monitoring efforts on or before September 2015, and annually thereafter. At a minimum, monitoring efforts shall focus on the following objectives and include the following analysis:

- 6.04 (C) (1) Increase the effectiveness of all Educators, the progress of which may be evaluated using the following data:
  - 6.04 (C) (1) (a) the number of Educators assigned to each Performance Evaluation Rating and how those numbers change over time;
  - 6.04 (C) (1) (b) information concerning Teacher and Principal retention, correlated with Performance Evaluation Ratings and reasons Teachers and Principals leave Districts and schools; and
  - 6.04 (C) (1) (c) perception survey data of Colorado Educators, parents and students;
  
- 6.04 (C) (2) Analyze the correlation between student performance outcomes and the assignment of Educators to Performance Evaluation Ratings, which may be evaluated using the following data:
  - 6.04 (C) (2) (a) student performance data for each public school and data concerning the number of Educators at each public school assigned to each Performance Evaluation Rating;
  - 6.04 (C) (2) (b) student performance data, organized according to academic subjects and grades, and data concerning the number of Educators assigned to each Performance Evaluation Rating, organized according to academic subjects and grades;
  - 6.04 (C) (2) (c) information concerning the distribution of Educators assigned to each Performance Evaluation Rating within each public school and School District;
  - 6.04 (C) (2) (d) information concerning the correlation of Measures of Student Academic Growth used and student performance on Statewide Summative Assessments; and
  - 6.04 (C) (2) (e) beginning July 2014, information concerning performance results for Educators on each of the Teacher Quality Standards and each of the Principal Quality Standards, and analysis of the correlation between results for individual Educators on the Measures of Student Academic Growth and the Professional Practice measures;

6.04 (C) (3) Analyze the equitable distribution of effective and highly effective Educators, which may be evaluated using the following data:

6.04 (C) (3) (a) the number of Educators assigned to each Performance Evaluation Rating, disaggregated by common course code, Educator demographics, student demographics, and school demographics; and

6.04 (C) (4) Analyze the extent to which Principals and Teachers understand how they are being evaluated, what they need to do to improve, and how to access resources they need to support their professional development, which may be evaluated using surveys, focus groups, and/or feedback received during trainings.

6.04 (D) When data collected by the Department indicates that a School District or BOCES is unable to implement a local evaluation system that meets the objectives of the Licensed Personnel Evaluations Act, section 22-9-101, C.R.S., *et seq.*, the Department will conduct a more thorough review of the School Districts' or BOCES' processes and procedures for its licensed personnel evaluation system to assure that the system is professional, sound, results in fair, adequate, and credible evaluation, satisfies the Quality Standards in a manner that is appropriate to the size, demographics, and location of the School District or BOCES, and is consistent with the purposes of Article 22.

Pursuant to section 22-11-206 (4) (b), C.R.S., if the Department has reason to believe that a School District is not in substantial compliance with one or more of the statutory or regulatory requirements that applies to School Districts, the Department shall notify the local school board that it has ninety days after the date of notice to come into compliance. If, at the end of the ninety-day period, the Department finds that the School District is not substantially in compliance with the applicable statutory or regulatory requirements, the School District may be subject to the interventions specified in article 11 of title 22, Colorado Revised Statutes.

#### **6.05 Evaluation and Continuous Improvement of the Statewide System to Evaluate the Effectiveness of Licensed Personnel**

The Department shall use information obtained through monitoring and reporting efforts to identify opportunities for improvement. No later than July 1 of each year, beginning in 2012, the State Board shall review these rules (1 CCR 301-87) and, informed by recommendations from the State Council and using information from implementation of the State Model System and other local systems, shall determine whether to affirm or revise the rules in order to reflect what has been learned.

## **7.0 PARENT AND STUDENT PARTNERSHIP WITH TEACHERS AND PUBLIC SCHOOL ADMINISTRATORS**

- 7.01 **Parents and Guardians.** Districts and schools shall create systems and structures that focus on providing parents and guardians with meaningful opportunities to support the academic achievement and growth of their children. These systems and structures shall proactively encourage and support:
- 7.01 (A) high-quality and ongoing communication between parents/guardians and Educators and schools using a variety of methods, such as various media, resources and languages;
- 7.01 (B) involvements of parents/guardians in school and District leadership as currently supported by law and further identified through the implementation of local evaluation systems; and
- 7.01 (C) the engagement of parent/guardian and community partnerships to ensure the successful implementation of the Principal and Teacher Quality Standards.
- 7.02 As appropriate, the Department shall provide resources and technical assistance, through the online resource bank, to support Districts in developing systems and structures that provide meaningful opportunities for parents/guardians to support the academic achievement and growth of their children.
- 7.03 The Department shall encourage Districts to monitor and measure the effectiveness of community and family involvement strategies and to use data gathered to inform system refinements.
- 7.04 **Students.** Districts are strongly encouraged to gather student perceptions of their learning experience in order to provide Teachers with feedback on their performance. Where appropriate, Districts are encouraged to use student perception data as part of the multiple measures used to evaluate Teacher Professional Practice, described in section 5.01 (E) (6) of these rules.
- 7.05 Districts are strongly encouraged to gather student perceptions to provide Principals with feedback on their performance.

## **Appendices**

- 1. Postsecondary Workforce Definition**
- 2. Accountability Timeline**
- 3. Important Milestones Leading to Colorado's Current System**
- 4. Technical Rules for Performance Framework Calculations**
- 5. Unified Improvement Plan (UIP) School and District Templates**
- 6. SB-191 Legislation**
- 7. Annotated School Performance Framework**
- 8. State Review Panel Feedback Form**
- 9. School UIP Feedback Form**
- 10. Statement Regarding Emphasis on Growth**

## **Appendix 1- PWR Definition**

Postsecondary and Workforce Readiness Description Adopted June 30, 2009  
By the State Board of Education and the Colorado Commission on Higher Education

### **Description of PWR**

“Postsecondary and workforce readiness” describes the knowledge, skills, and behaviors essential for high school graduates to be prepared to enter college and the workforce and to compete in the global economy. To be designated as postsecondary and workforce ready, secondary students shall demonstrate that the following content knowledge and learning and behavior skills have been achieved without the need for remedial instruction or training. This demonstration includes the completion of increasingly challenging, engaging, and coherent academic work and experiences, and the achievement of proficiency shown by a body of evidence including postsecondary and workforce readiness assessments and other relevant materials that document a student’s postsecondary and workforce readiness.

### **I. Content Knowledge**

#### **Literacy**

- Read fiction and non-fiction, understanding conclusions reached and points of view expressed
- Write clearly and coherently for a variety of purposes and audiences
- Use logic and rhetoric to analyze and critique ideas
- Access and use primary and secondary sources to explain questions being researched
- Employ standard English language properly and fluently in reading, writing, listening, and speaking

#### **Mathematical Sciences**

- Think critically, analyze evidence, read graphs, understand logical arguments, detect logical fallacies, test conjectures, evaluate risks, and appreciate the role mathematics plays in the modern world, i.e., be quantitatively literate
- Understand and apply algebraic and geometric concepts and techniques
- Use concepts and techniques of probability and statistics
- Apply knowledge of mathematics to problem solve, analyze issues, and make critical decisions that arise in everyday life

#### **Science**

- Think scientifically and apply the scientific method to complex systems and phenomena
- Use theoretical principles within a scientific field and relevant empirical evidence to make and draw conclusions
- Recognize that scientific conclusions are subject to interpretation and can be challenged
- Understand the core scientific concepts, principles, laws, and vocabulary, and how scientific knowledge is extended, refined, and revised over time

### **Social Studies and Social Sciences**

- Identify and describe historical, social, cultural, political, geographical, and economic concepts
- Interpret sources, and evaluate evidence and competing ideas
- Build conceptual frameworks based on an understanding of themes and the overall flow of events
- Understand how government works in the United States and in other countries, the varying roles individuals may play in society, and the nature of civic responsibility
- Interpret information from a global and multicultural perspective

### **The Arts and Humanities**

- Understand and appreciate how the arts and humanities (expressions of culture and identity through language, movement, sound, and visual representation) contribute to and shape culture and our understanding of culture
- Understand how the arts and literature are used as instruments of social and political thought
- Identify leading innovators in the arts and humanities and the contributions they have made to their respective art forms

## **II. Learning and Behavior Skills**

### **Critical Thinking and Problem Solving**

- Apply logical reasoning and analytical skills
- Conduct research using acceptable research methods
- Understand different research approaches
- Collect and analyze quantitative and qualitative data and research
- Evaluate the credibility and relevance of information, ideas, and arguments
- Discern bias, pose questions, marshal evidence, and present solutions

### **Find and Use Information/Information Technology**

- Select, integrate, and apply appropriate technology to access and evaluate new information
- Understand the ethical uses of information
- Provide citations for resources

### **Creativity and Innovation**

- Demonstrate intellectual curiosity
- Generate, evaluate, and implement new ideas and novel approaches
- Develop new connections where none previously existed

**Global and Cultural Awareness**

- Appreciate the arts, culture, and humanities
- Interact effectively with and respect the diversity of different individuals, groups, and cultures
- Recognize the interdependent nature of our world
- Understand how communicating in another language can improve learning in other disciplines and expand professional, personal, and social opportunities

**Civic Responsibility**

- Recognize the value of civic engagement and its role in a healthy democracy and civil society
- Be involved in the community and participate in its political life
- Balance personal freedom with the interests of a community

**Work Ethic**

- Plan and prioritize goals
- Manage time effectively
- Take initiative, and follow through
- Learn from instruction and criticism
- Take responsibility for completion of work
- Act with maturity, civility, and politeness
- Demonstrate flexibility and adaptability

**Personal Responsibility**

- Balance self-advocacy with the consideration of others
- Possess financial literacy and awareness of consumer economics
- Behave honestly and ethically
- Take responsibility for actions
- Understand the relevance of learning to postsecondary and workforce readiness
- Demonstrate awareness of and evaluate career options
- Attend to personal health and wellness

**Communication**

- Read, write, listen and speak effectively
- Construct clear, coherent, and persuasive arguments
- Communicate and interact effectively with people who have different primary languages

**Collaboration**

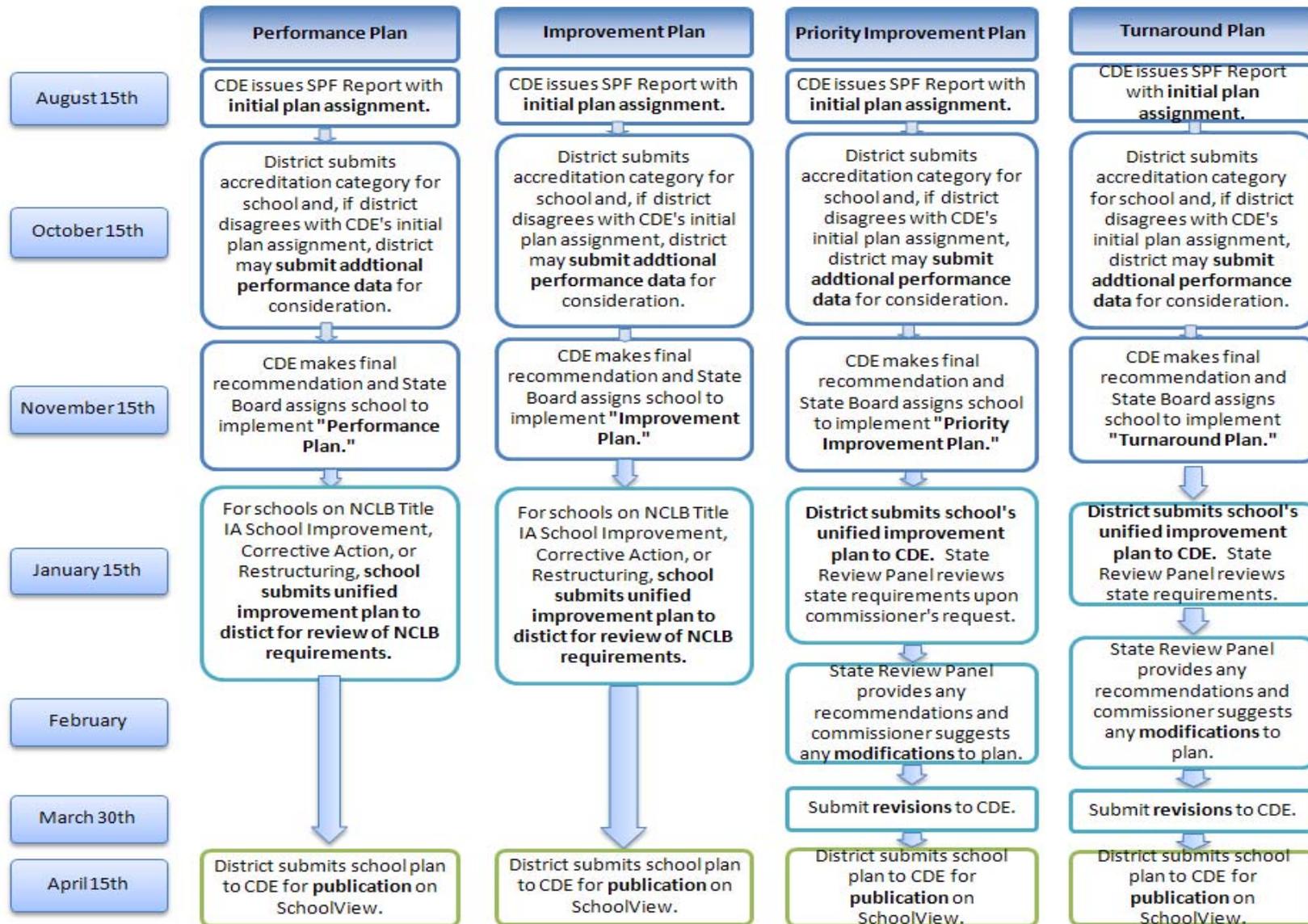
- Work effectively with others
- Acknowledge authority and take direction
- Cooperate for a common purpose
- Use teamwork and leadership skills effectively

## Appendix 2

### Accountability Timeline

One of the ways that Colorado’s accountability and support system reinforces continuous improvement is through an annual cycle of review. All of the processes described above occur each year. As the flow chart titled “Timeline for State Accountability: Plan Type Assignments and Plan Submission” demonstrates, the cycle kicks off each August with the provision of the School and District Performance Frameworks to schools and districts. It follows with a period of local review and State Board of Education review. Supplemental data refreshes on the Colorado Growth Model application, the [SchoolView](#) Data Center and the [SchoolView](#) Data Lab in the fall, and final framework results are publicly reported on [SchoolView](#) in December. Schools and districts use these data to inform their improvement efforts. The first set of improvement plans are due to the Department in January for CDE review, and all other plans are due to the Department in April. The cycle completes at the end of the school year when the Department posts all school and district improvement plans on [SchoolView](#). In the next school year, the cycle begins again. Schools and districts implement their improvement plans and modify them based on the new School and District Performance Frameworks and data. This timeline ensures that, at a minimum, the state, districts and schools annually evaluate performance and improvement efforts.

### Timeline for State Accountability: Plan Type Assignments and Plan Submission



## Appendix 3

### Important Milestones Leading to Colorado’s Current System

The process which underlies CDE’s current comprehensive statewide system of accountability and support is a product of over a decade of legislation and policies regarding Colorado’s standards and assessments and school and district accountability. The process was driven by Colorado’s education leaders and stakeholders. The table below outlines some of the major events leading to the current system.

| Year | A Historical Timeline of Major Developments Leading to Colorado’s Current System of Standards, Assessments, Accountability & Educator Effectiveness                                                                                                                                                                                                                                                                                                                                 |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1993 | <ul style="list-style-type: none"> <li>• HB-1313 creates the Standard and Assessment Development Council.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                |
| 1994 | <ul style="list-style-type: none"> <li>• ESEA reauthorization requires states to develop standards and aligned assessments.</li> </ul>                                                                                                                                                                                                                                                                                                                                              |
| 1995 | <ul style="list-style-type: none"> <li>• Colorado State Board of Education Adopts Model Colorado Content Standards.</li> </ul>                                                                                                                                                                                                                                                                                                                                                      |
| 1997 | <ul style="list-style-type: none"> <li>• First CSAP administered in grade 4 reading and writing.</li> <li>• The Colorado Basic Literacy Act requires districts to assess reading readiness.</li> </ul>                                                                                                                                                                                                                                                                              |
| 1998 | <ul style="list-style-type: none"> <li>• Colorado Accreditation Act (HB-1267) requires CDE to accredit school districts by contract based on compliance with accreditation indicators.</li> <li>• CSAP administered for the first time in grade 3 reading.</li> </ul>                                                                                                                                                                                                               |
| 1999 | <ul style="list-style-type: none"> <li>• CSAP administered for the first time in grade 7 reading and writing.</li> <li>• SB-186 establishes School Accountability Reports (SARs), which rate schools based on CSAP status measures.</li> </ul>                                                                                                                                                                                                                                      |
| 2000 | <ul style="list-style-type: none"> <li>• CSAP administered for the first time in grade 8 math and science.</li> <li>• CSAP Assessment Frameworks published.</li> </ul>                                                                                                                                                                                                                                                                                                              |
| 2001 | <ul style="list-style-type: none"> <li>• NCLB requires standards, aligned assessments and aligned accountability; establishes AYP annual increases in targets to all students proficient or advanced by 2014.</li> <li>• CSAP administered for the first time in grade 5, 6, 8, 9, 10 reading; grade 10 writing; grades 5 and 10 math.</li> <li>• District accreditation contracts issued.</li> <li>• District consortium establishes longitudinal growth pilot project.</li> </ul> |

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2002 | <ul style="list-style-type: none"> <li>CSAP administered for the first time in grade 3, 5, 6, 8, 9 writing; grade 6, 7, 9 math; grade 8 science.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 2003 | <ul style="list-style-type: none"> <li>English language proficiency Standards in Colorado were approved by the State Board. At this time 3 different assessments were being used in the state to assess English language proficiency and districts could choose from the 3 assessments. It was not until 2005 that the Colorado English Language Acquisition (CELA) assessment was adopted and used as the State English language proficiency assessment.</li> <li>CASE/Donnell-Kay Foundation publish an analysis of Colorado’s 3 misaligned accountability systems: District Accreditation, SARs, and NCLB.</li> </ul> |
| 2004 | <ul style="list-style-type: none"> <li>Legislature supported bill that would have aligned accreditation and SARs and use measures of growth in evaluating school performance, but was not signed into law.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2005 | <ul style="list-style-type: none"> <li>Minor revisions made to Colorado Content Standards in Mathematics.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 2006 | <ul style="list-style-type: none"> <li>HB109 directs a Technical Advisory Panel (TAP) to develop a growth model for identifying schools for Governor’s Distinguished Improvement Awards.</li> <li>Colorado applies for USDE pilot program for developing alternative AYP growth Models and receives approval.</li> <li>CSAP science administered for the first time in grades 5 and 10.</li> <li>CELA administered for the first time.</li> </ul>                                                                                                                                                                        |
| 2007 | <ul style="list-style-type: none"> <li>Forward Thinking, Colorado’s strategic plan, includes intention to revise Colorado Model Content Standards by 2008 and CSAP by 2009.</li> <li>Revisions made to the science standards.</li> <li>Colorado HB07-1048 established student academic growth as the cornerstone of Colorado’s educational accountability system and requires CDE to develop longitudinal growth model.</li> <li>Governor Ritter establishes P-20 Council (accountability committee).</li> </ul>                                                                                                         |

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2008 | <ul style="list-style-type: none"> <li>• Colorado’s Achievement Plan for Kids (CAP4K) SB08-212 establishes legislative timeline for revising state standards and assessments and redefines the K-12 educational system mission as postsecondary and workforce success for all students.</li> <li>• The Colorado Growth Model is implemented and districts receive reports from CDE on the academic growth of their students.</li> <li>• HB08-1168 defines Financial Literacy component within Colorado standards.</li> <li>• Unified Improvement Plan piloted with districts identified for Improvement under Title IA, IIA and IIIA.</li> </ul>                                                                                                                                                                                                  |
| 2009 | <ul style="list-style-type: none"> <li>• Colorado’s Educational Accountability Act of 2009 (SB09-163) establishes a statewide system of accountability and support, requiring aligned, annual school and district performance framework reports.</li> <li>• Unified Improvement Plan phased in for schools and districts with Priority Improvement or Turnaround Plans, in addition to those identified under the federal systems.</li> <li>• Pursuant to CAP4K, Colorado Academic Standards (CAS) developed in the arts, comprehensive health and physical education, English language proficiency, mathematics, science, social studies, and reading, writing, and communicating.</li> <li>• December 2010, CAS adopted by the State Board of Education.</li> </ul>                                                                             |
| 2010 | <ul style="list-style-type: none"> <li>• Colorado releases first school and district performance framework reports.</li> <li>• The Great Teachers and Leaders Bill (SB10-191) establishes new expectations for local personnel evaluation systems and requires the State Board of Education to promulgate rules concerning the planning, development, implementation, and assessment of a system to evaluate the effectiveness of licensed personnel. At least 50% of each personnel’s evaluation must be based on student growth.</li> <li>• Unified Improvement Plan required for all schools and districts in Colorado.</li> <li>• State Board of Education adopts the Common Core State Standards (CCSS); CAS incorporating the entirety of CCSS in mathematics and reading, writing, and communicating reissued in December 2010.</li> </ul> |

## Appendix 4: Technical Rules for Performance Framework Calculations

### *Performance Framework Components*

The table below outlines the Colorado School Performance Framework, its performance indicators, weights, measures, metrics and cut-points. The same performance indicators, weights, measures and metrics apply for the District Performance Framework.

Table 1. Colorado’s School Performance Framework Report

**TABLE 1. COLORADO’S SCHOOL PERFORMANCE FRAMEWORK REPORT**

| PERFORMANCE INDICATOR                                    | ACHIEVEMENT                                                                                                                                                                                                                                                                                                                                                                                                                    | GROWTH                                                                                                                                                                                                                                                   | GROWTH GAPS                                                                                                                                                     | POSTSECONDARY AND WORKFORCE READINESS                                                                                                |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Points/Weight</b><br>Elementary/Middle<br>High School | 25 points<br>15 points                                                                                                                                                                                                                                                                                                                                                                                                         | 50 points<br>35 points                                                                                                                                                                                                                                   | 25 points<br>15 points                                                                                                                                          | -<br>35 points                                                                                                                       |
| <b>Measure</b>                                           | <b>Colorado Student Assessment Program (CSAP), including:</b> <ul style="list-style-type: none"> <li>• Lectura and Escritura (Spanish versions of reading &amp; writing for grades 3, 4)</li> <li>• CSAP-A (alternate CSAP)</li> </ul> <b>In the following content areas:</b> <ul style="list-style-type: none"> <li>• Reading (25%)</li> <li>• Mathematics (25%)</li> <li>• Writing (25%)</li> <li>• Science (25%)</li> </ul> | <b>Colorado Growth Model CSAP</b> <ul style="list-style-type: none"> <li>• Reading (28.6%)</li> <li>• Mathematics (28.6%)</li> <li>• Writing (28.6%)</li> </ul> <b>Colorado English Language Acquisition Proficiency Assessment (CELApro)</b><br>(14.3%) | <b>Colorado Growth Model CSAP</b> <ul style="list-style-type: none"> <li>• Reading (33.3%)</li> <li>• Mathematics (33.3%)</li> <li>• Writing (33.3%)</li> </ul> | <b>Graduation rate (25%)</b><br><b>Disaggregated graduation rate (25%)</b><br><b>Dropout rate (25%)</b><br><b>Colorado ACT (25%)</b> |

| PERFORMANCE INDICATOR        | ACHIEVEMENT                                                  |       |        |       | GROWTH                                                                                                                                                                                                                                                                                                       | GROWTH GAPS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | POSTSECONDARY AND WORKFORCE READINESS                                                                                                                                                                                                                                                                                                   |
|------------------------------|--------------------------------------------------------------|-------|--------|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Metric                       | % of students proficient/advanced                            |       |        |       | <b>Median Student Growth Percentile (MGP)</b> <ul style="list-style-type: none"> <li>Normative growth relative to academic peers</li> </ul> <b>Adequate Student Growth Percentile (AGP)</b> <ul style="list-style-type: none"> <li>Criterion-referenced growth relative to standard (proficiency)</li> </ul> | <b>For the following disaggregated student groups:</b> <ul style="list-style-type: none"> <li>Free/Reduced Lunch Eligible</li> <li>Minority Students</li> <li>Students w/Disabilities</li> <li>English Learners</li> <li>Students needing to catch up (below proficient in prior year)</li> </ul> <b>Median Student Growth Percentile (MGP)</b> <ul style="list-style-type: none"> <li>Normative growth relative to academic peers</li> </ul> <b>Adequate Student Growth Percentile (AGP)</b> <ul style="list-style-type: none"> <li>Criterion-referenced growth relative to standard (proficiency)</li> </ul> | <b>Graduation rate</b><br><br><b>Graduation rate disaggregated for the following student groups:</b> <ul style="list-style-type: none"> <li>Free/Reduced Lunch Eligible</li> <li>Minority Students</li> <li>Students w/Disabilities</li> <li>English Learners</li> </ul> <b>Dropout rate</b><br><br><b>Colorado ACT composite score</b> |
| <b>Performance Target(s)</b> | See below for targets for <i>exceeds, meets, approaching</i> |       |        |       | See below for targets for <i>exceeds, meets, approaching</i>                                                                                                                                                                                                                                                 | See below for targets for <i>exceeds, meets, approaching</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | See below for targets <i>exceeds, meets, approaching</i>                                                                                                                                                                                                                                                                                |
| <b>Exceeds</b>               | 90 <sup>th</sup> percentile of schools*                      |       |        |       | If the school's growth was adequate to reach or maintain proficiency (MGP > AGP): 60                                                                                                                                                                                                                         | If the subgroup's growth was adequate to reach or maintain proficiency (MGP > AGP): 60                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Graduation rate</b> (overall and disaggregated) 90%<br><br><b>Dropout rate</b> At/below 1%<br><br><b>Colorado ACT</b>                                                                                                                                                                                                                |
|                              | R                                                            | Elem  | Middle | High  | If the school's growth was not adequate to reach or maintain proficiency (MGP < AGP): 70                                                                                                                                                                                                                     | If the subgroup's growth was not adequate to reach or maintain proficiency (MGP < AGP):70                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                         |
|                              | M                                                            | 89.1% | 88.2%  | 87.2% |                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                         |
|                              | W                                                            | 89.3% | 75.0%  | 54.8% |                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                         |
|                              | S                                                            | 76.8% | 79.7%  | 72.2% |                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                         |
|                              |                                                              | 76.0% | 75.1%  | 72.4% |                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                         |

| PERFORMANCE INDICATOR | ACHIEVEMENT                                                                                   |                                                 |                                                   |                                                 | GROWTH                                                                                   | GROWTH GAPS                                                                                | POSTSECONDARY AND WORKFORCE READINESS                                                                                            |
|-----------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------|---------------------------------------------------|-------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
|                       |                                                                                               |                                                 |                                                   |                                                 |                                                                                          |                                                                                            | <b>composite score</b><br>At/above 22                                                                                            |
| <b>Meets</b>          | 50 <sup>th</sup> percentile of schools*<br>(using baseline from Year 1 of the SPF in 2009-10) |                                                 |                                                   |                                                 | If the school's growth was adequate to reach or maintain proficiency (MGP > AGP): 45     | If the subgroup's growth was adequate to reach or maintain proficiency (MGP > AGP): 45     | <b>Graduation rate</b><br>(overall and disaggregated)<br>80%                                                                     |
|                       | R<br>M<br>W<br>S                                                                              | <b>Elem</b><br>71.6%<br>70.9%<br>53.5%<br>47.5% | <b>Middle</b><br>71.4%<br>52.5%<br>57.8%<br>48.0% | <b>High</b><br>73.3%<br>33.5%<br>50.0%<br>50.0% | If the school's growth was not adequate to reach or maintain proficiency (MGP < AGP): 55 | If the subgroup's growth was not adequate to reach or maintain proficiency (MGP < AGP): 55 | <b>Dropout rate</b><br>At/below state average* (3.6%)<br><br><b>Colorado ACT composite score</b><br>At/above state average* (20) |
| <b>Approaching</b>    | 15 <sup>th</sup> percentile of schools<br>(using baseline from Year 1 of the SPF in 2009-10)  |                                                 |                                                   |                                                 | If the school's growth was adequate to reach or maintain proficiency (MGP > AGP): 30     | If the subgroup's growth was adequate to reach or maintain proficiency (MGP > AGP):30      | <b>Graduation rate</b><br>(overall and disaggregated)<br>65%                                                                     |
|                       | R<br>M<br>W<br>S                                                                              | <b>Elem</b><br>49.2%<br>48.6%<br>32.5%<br>19.7% | <b>Middle</b><br>50.4%<br>29.7%<br>35.0%<br>23.8% | <b>High</b><br>54.9%<br>16.0%<br>31.0%<br>27.5% | If the school's growth was not adequate to reach or maintain proficiency (MGP < AGP):40  | If the subgroup's growth was not adequate to reach or maintain proficiency (MGP < AGP): 40 | <b>Dropout rate</b><br>At/below 10%<br><br><b>Colorado ACT composite score</b><br>At/above 17                                    |

\* Percentiles and averages are based on Year 1 of the School Performance Framework reports using 2009-10 baselines.

*Technical Guide and Resources*

For a complete step-by-step technical guide to the performance frameworks, please go to:

<http://www.cde.state.co.us/Accountability/Downloads/DPFSPFTechnicalGuideToCalculationsDetailed2011.pdf>.

For an online tutorial, please go to:

[http://www.cde.state.co.us/media/training/SPF\\_Online\\_Tutorial/player.html](http://www.cde.state.co.us/media/training/SPF_Online_Tutorial/player.html).

For an overview presentation, please go to: <http://www.cde.state.co.us/Accountability/Downloads/SPF-WebinarSept2011.pptx>.

*Performance Indicator Cut-Points*

**Academic Achievement**

Academic achievement is the calculation of the percentage of students scoring at the proficient or advanced level. On the SPF, these percentages are not calculated separately for the different assessments (CSAP, CSAPA, Lectura, Escritura). Instead, the individual data points are aggregated and the final result represents the total percentage of students scoring proficient or advanced on all of the assessments. The cut-points associated with the *approaching*, *meets*, and *exceeds* ratings follow below.

Table 2. Academic Achievement for Schools: Percent of students proficient or advanced by percentile cut-points – 2009-10 baseline (1-Year SPF)

|                                        | Reading     |            |            | Math        |            |            | Writing     |            |            | Science    |            |            |
|----------------------------------------|-------------|------------|------------|-------------|------------|------------|-------------|------------|------------|------------|------------|------------|
|                                        | Elem        | Middle     | High       | Elem        | Middle     | High       | Elem        | Middle     | High       | Elem       | Middle     | High       |
| <b>N of Schools</b>                    | <b>1008</b> | <b>479</b> | <b>327</b> | <b>1007</b> | <b>480</b> | <b>327</b> | <b>1007</b> | <b>480</b> | <b>327</b> | <b>912</b> | <b>407</b> | <b>286</b> |
| <i>Approaching:</i><br>15th percentile | 49.2        | 50.4       | 54.9       | 48.6        | 29.7       | 16         | 32.5        | 35         | 31         | 19.7       | 23.8       | 27.5       |
| <i>Meets:</i><br>50th percentile       | 71.6        | 71.4       | 73.3       | 70.9        | 52.5       | 33.5       | 53.5        | 57.8       | 50         | 47.5       | 48         | 50         |
| <i>Exceeds:</i><br>90th percentile     | 89.1        | 88.2       | 87.2       | 89.3        | 75         | 54.8       | 76.8        | 79.7       | 72.2       | 76         | 75.1       | 72.4       |

Table 3. Academic Achievement for Schools: Percent of students proficient or advanced by percentile cut-points – 2008-10 baseline (3-Year SPF)

|                                        | Reading     |            |            | Math        |            |            | Writing     |            |            | Science    |            |            |
|----------------------------------------|-------------|------------|------------|-------------|------------|------------|-------------|------------|------------|------------|------------|------------|
|                                        | Elem        | Middle     | High       | Elem        | Middle     | High       | Elem        | Middle     | High       | Elem       | Middle     | High       |
| <b>N of Schools</b>                    | <b>1032</b> | <b>507</b> | <b>362</b> | <b>1032</b> | <b>507</b> | <b>361</b> | <b>1032</b> | <b>507</b> | <b>362</b> | <b>972</b> | <b>469</b> | <b>347</b> |
| <i>Approaching:</i><br>15th percentile | 50          | 50.6       | 53.3       | 48.7        | 29.7       | 13.5       | 32.6        | 36.8       | 30         | 20.5       | 25         | 27.9       |
| <i>Meets:</i><br>50th percentile       | 72          | 71.4       | 72.2       | 70.1        | 51.6       | 30.5       | 54.8        | 58.3       | 49.6       | 45.4       | 48.7       | 50         |
| <i>Exceeds:</i><br>90th percentile     | 88.2        | 87.4       | 86.2       | 87.5        | 74.4       | 52.2       | 76.5        | 79.2       | 71         | 72.6       | 71.3       | 71.5       |

Table 4. Academic Achievement for Districts: Percent of students proficient or advanced by percentile cut-points – 2009-10 baseline (1-Year DPF)

|                                        | Reading |        |      | Math |        |      | Writing |        |      | Science |        |      |
|----------------------------------------|---------|--------|------|------|--------|------|---------|--------|------|---------|--------|------|
|                                        | Elem    | Middle | High | Elem | Middle | High | Elem    | Middle | High | Elem    | Middle | High |
| <b>N of Schools</b>                    | 175     | 165    | 167  | 176  | 165    | 167  | 175     | 165    | 167  | 133     | 135    | 138  |
| <i>Approaching:</i><br>15th percentile | 59.3    | 58.9   | 57.1 | 58   | 34.5   | 18.3 | 38.5    | 42.4   | 32.9 | 29.5    | 28.6   | 30.3 |
| <i>Meets:</i><br>50th percentile       | 71.5    | 70.5   | 71.5 | 70.5 | 50     | 32.2 | 54.7    | 56.4   | 48.6 | 48      | 45.6   | 48.9 |
| <i>Exceeds:</i><br>90th percentile     | 84.4    | 83.6   | 84.8 | 84.6 | 68.8   | 52.1 | 69.7    | 72.3   | 67.6 | 69.7    | 69.1   | 70.4 |

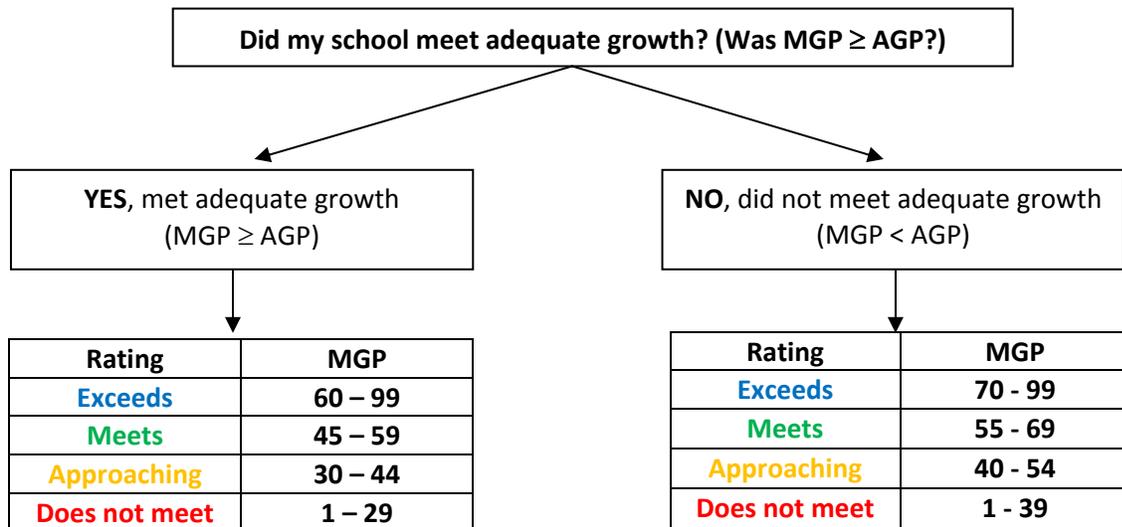
Table 5. Academic Achievement AMOs for Districts: Percent of students proficient or advanced by percentile cut-points – 2008-10 baseline (3-Year DPF)

|                                        | Reading |        |      | Math |        |      | Writing |        |      | Science |        |      |
|----------------------------------------|---------|--------|------|------|--------|------|---------|--------|------|---------|--------|------|
|                                        | Elem    | Middle | High | Elem | Middle | High | Elem    | Middle | High | Elem    | Middle | High |
| <b>N of Schools</b>                    | 181     | 182    | 183  | 181  | 182    | 182  | 181     | 182    | 183  | 172     | 175    | 179  |
| <i>Approaching:</i><br>15th percentile | 60.4    | 56.6   | 57.6 | 56.8 | 36.4   | 17.8 | 41.4    | 41.8   | 33.8 | 32.9    | 30     | 31.4 |
| <i>Meets:</i><br>50th percentile       | 72.2    | 69.2   | 71.3 | 70.4 | 49.1   | 30.5 | 55.8    | 56.8   | 49.7 | 47.5    | 46.8   | 49.2 |
| <i>Exceeds:</i><br>90th percentile     | 85.2    | 81.5   | 83.8 | 83.4 | 65.3   | 48   | 71      | 70.9   | 67.7 | 66.5    | 65.9   | 67.3 |

**Academic Growth to Standard and Academic Growth Gaps**

The Academic Growth and Academic Growth Gaps cut-points are based on the median student growth percentile, but they are bifurcated based upon the adequate student growth percentile, according to Figure 1, below.

Figure 1. Scoring guide for the Academic Growth and Academic Growth Gaps indicators



## Postsecondary and Workforce Readiness

Table 6. Postsecondary and Workforce Readiness: State average dropout rates – 2009 baseline (1-year SPF) or 2007-09 baseline (3-year SPF)

|                         | N of Students | Average Dropout Rate |
|-------------------------|---------------|----------------------|
| <b>1-year (2009)</b>    | 416,953       | 3.6                  |
| <b>3-year (2007-09)</b> | 1,238,096     | 3.9                  |

Table 7. Postsecondary and Workforce Readiness: State average ACT composite scores – 2010 baseline (1-year SPF) or 2008-10 baseline (3-year SPF)

|                         | N of Students | Mean Score |
|-------------------------|---------------|------------|
| <b>1-year (2010)</b>    | 51,438        | 20.0       |
| <b>3-year (2008-10)</b> | 151,439       | 20.1       |

### Graduation Rate Calculation

To comply with No Child Left Behind requirements and State Board rules, Colorado uses the graduation rate formula and methodology set by the National Governors Association “Graduation Counts Compact.” This four-year formula defines “on-time” graduation as the percent of students who graduate from high school four years after entering ninth grade. A student is assigned a graduating class when they enter ninth grade, and the graduating class is assigned by adding four years to the year the student enters ninth grade. The formula anticipates, for example, that a student entering ninth grade in fall 2006 will graduate with the Class of 2010.

CDE uses this formula and incorporates 4-year, 5-year, 6-year and 7-year graduation rate calculations into the DPF and SPF, and gives districts and schools credit for whichever rate is highest. While the 4-year graduation rate from the most recent cohort provides the most current information about performance, the 5-year, 6-year and 7-year rates are better indicators for those districts and schools making a concerted effort to keep students in school (to prevent drop-out, better prepare students for postsecondary and workforce readiness, etc.). This reinforces the principle of allowing time to become a variable given Colorado’s expectation that all students will graduate prepared for college and career success.

CDE still publishes all the available graduation rates for the four most recent cohorts. The table below gives a visual representation of all the graduation data available from the prior four years.

Table 8. Sample Graduation Results on the Performance Frameworks

|                                       |             | 4-year | 5-year | 6-year      | 7-year |
|---------------------------------------|-------------|--------|--------|-------------|--------|
| <b>Anticipated Year of Graduation</b> | <b>2007</b> | 86.8   | 86.9   | 87.0        | 87.0   |
|                                       | <b>2008</b> | 89.7   | 91.6   | <b>92.8</b> |        |
|                                       | <b>2009</b> | 86.7   | 88.5   |             |        |
|                                       | <b>2010</b> | 89.6   |        |             |        |

For accountability purposes, for the 1-year SPF/DPF, schools/districts earn points based on the highest value among the following: 2010 4-year graduation rate, 2009 5-year rate, 2008 6-year rate, and 2007 7-year rate (the shaded cells in the first table above). For the 3-year SPF/DPF, schools/districts earn points based on the highest value among the following: aggregated 2007, 2008, 2009 and 2010 4-year graduation rate, aggregated 2007, 2008 and 2009 5-year rate, aggregated 2007 and 2008 6-year rate, or 2007 7-year rate (the shaded cells in the second table above). For each of these rates, the aggregation is the result of adding the graduation totals for all available years and dividing by the sum of the graduation bases across all available years. For both 1-year and 3-year SPFs/DPFs, the "best of" graduation rate is bolded and italicized on the Performance Indicators detail page.

#### Dropout Rate Calculation

The dropout rate reflects the percentage of all students, enrolled in grades 9-12 who leave school during a single school year. It is calculated by dividing the number of dropouts by a membership base, which includes all students who were in membership any time during the year.

The Colorado dropout rate is an annual rate reflecting the percentage of all students enrolled, in grades 9-12, who leave school during a single school year without subsequently attending another school or educational program. It is calculated by dividing the number of dropouts by a membership base, which includes all students who were in membership any time during the year. In accordance with a 1993 legislative mandate, beginning with the 1993-94 school year, the dropout rate calculation excludes expelled students.

The dropout rate calculation:

$$\frac{\text{Number of dropouts during the 2008-09 school year}}{\text{Total number of students that were part of the same membership base at any time during the 2008 – 09 school year}}$$

#### *Exclusion Criteria*

For the Academic Achievement, Academic Growth to Standard, and Academic Growth Gaps indicators, student exclusion criteria were applied prior to the final N count so that schools would not be held accountable for students that they had in their buildings for only a short time. The October 1 New to School field was used for this purpose. Students who had a "1" in this field, indicating that they were not enrolled in the school on or before October 1, were not included in any of the schools' calculations for these three performance indicators. Students with zeroes or missing values, in this field, were included in these aggregations. All students with valid data were included; however, in the *Postsecondary and Workforce Readiness* indicator metrics and in the test participation rate.

Note that these exclusion criteria differ from those used on the School Accountability Reports, on district accreditation reports, and on federal No Child Left Behind accountability calculations from previous years.

#### *Minimum Student (N) Counts for Inclusion*

N refers to the number of students included in the calculation of each performance indicator metric. In accordance with the Family Educational Rights and Privacy Act (FERPA), each metric requires a minimum N

count in order for the data to be publicly reportable. The number of data points must also be considered when constructing a summary measure such as an average or a median; it does not make sense to do so when the number of observations is very small. The school performance framework report therefore uses minimum N counts for each metric, as shown below.

Table 9. Minimum N Counts

| <i>Performance Indicator: Measure</i>                                                  | <b>Minimum N</b> |
|----------------------------------------------------------------------------------------|------------------|
| <i>Academic Achievement: Reading, Writing, Mathematics, Science</i>                    | 16               |
| <i>Academic Growth to Standard: Reading, Writing, Mathematics</i>                      | 20               |
| <i>Academic Growth Gaps: Reading, Writing, Mathematics by subgroup</i>                 | 20               |
| <i>Postsecondary and Workforce Readiness: Graduation rate, Dropout rate</i>            | 16               |
| <i>Postsecondary and Workforce Readiness: Average Colorado ACT Composite Score</i>     | 16               |
| <i>(Test Participation Rate: Reading, Writing, Mathematics, Science, Colorado ACT)</i> | 20               |

If a school does not meet the minimum N for a metric, the data for that metric is not reported. The school will receive a rating of “N/A”, for that particular metric, and the points earned will be 0 out of 0 eligible points.

If a school does not meet the minimum N count for all of the metrics, within a performance indicator, the school is not eligible for any points in that indicator and does not receive a rating on that indicator. This reduces the overall framework points, for which the school is eligible, and the school earns 0 out of 0 framework points on that indicator. However, because the points are removed from both the points earned and the points eligible, the school’s score would not be negatively affected. Note that:

- (1) If a school meets the minimum N count for at least one metric, within a performance indicator, it will receive a rating on that performance indicator.
- (2) Although schools receive a 1-year and 3-year report of their data, only one of the two sets results in the official plan type assignment: it is the scenario under which the school has data on a higher number of the performance indicators, or, if it has data for an equal number of indicators, the one under which it received a higher total number of points.

For example:

School is not eligible for any points within one performance indicator:

- A school has more than 20 student records for the *Academic Achievement*, *Academic Growth to Standard*, and *Postsecondary and Workforce Readiness* indicator metrics. It meets the minimum N counts for these performance indicators. It is eligible for up to 15 framework points in *Academic Achievement*, 35 in *Academic Growth to Standard*, and 15 in *Postsecondary and Workforce Readiness*.

However, the school has less than 20 students in each of the student subgroups in the *Academic Growth Gaps* indicator (Free/Reduced Lunch eligible, minority students, students with disabilities, English Language Learners, and students who score below proficient). It does not meet the minimum N count of 20 for any of the metrics within the *Academic Growth Gaps* indicator. It is not eligible for the 15 framework points in the *Academic Growth Gaps* indicator.

- The school is eligible for 85 total framework points (15 for *Academic Achievement* + 35 for *Academic Growth to Standard* + 15 for *Postsecondary and Workforce Readiness*). Its framework score would be the sum of the framework points it earned in each of the three eligible performance indicators out of the 85 eligible points.

School is eligible for at least one measure within a performance indicator:

- A school has more than 20 student records for the *Academic Achievement*, *Academic Growth to Standard*, and *Postsecondary and Workforce Readiness* indicator metrics. It meets the minimum N counts for these performance indicators. It is therefore eligible for up to 15 framework points in *Academic Achievement*, 35 in *Academic Growth to Standard*, and 15 in *Postsecondary and Workforce Readiness*.
- The school has more than 20 student records in each subject area in the *Growth Gaps* indicator for the minority student subgroup and the English Language Learner subgroup, but less than 20 students for the Free/Reduced Lunch eligible subgroup, the students with disabilities subgroup, and the students below proficient subgroup. The school meets the minimum N counts for only two metrics on this performance indicator. It is therefore eligible for up to 15 points in *Growth Gaps*.
- The school is eligible for 100 total framework points (15 for *Academic Achievement* + 35 for *Academic Growth to Standard* + 35 for *Academic Growth Gaps* + 15 for *Postsecondary and Workforce Readiness*). Its framework score would be the sum of the framework points it earned in each of the three eligible performance indicators , out of the 100 eligible points.

*Scoring: Arriving at an Overall Performance Indicator Rating, School Plan Type and Accreditation Designation*

Based on the individual ratings of *does not meet*, *approaching*, *meets* and *exceeds* for each measure within each indicator, schools and districts receive an overall rating for each of the four key performance indicators of *Academic Achievement*, *Academic Growth to Standard*, *Academic Growth Gaps* and *Postsecondary and Workforce Readiness*. Schools and districts are eligible for up to 4 possible points on each measure: 4 points for *exceeds*, 3 for *meets*, 2 for *approaching* and 1 for *does not meet*.

The points received on each measure (also known as sub-indicators) sum up to a total percent of points earned out of points possible for each performance indicator. The percent of points earned on the performance indicator determine that indicator’s overall rating, also on a scale of *does not meet*, *approaching*, *meets* or *exceeds*. The percent of points needed to earn each indicator rating are shown in the table below. These cut-points approximate an “average” of the possible ratings on all the measures.

| Indicator Rating        | Percent of Points Earned on Performance Indicator |
|-------------------------|---------------------------------------------------|
| Exceeds                 | at or above 87.5%                                 |
| Meets                   | at or above 62.5% - below 87.5%                   |
| Approaching             | at or above 37.5% - below 62.5%                   |
| Does not meet           | below 37.5%                                       |
| Not eligible for points | N/A                                               |

The percent of points earned on all of the indicators are then combined to arrive at an overall school plan type or district accreditation designation. Each performance indicator is weighted differently; the percent of indicator points earned translate into a weighted percent of points earned. These weights, shown in the table below, reflect Colorado’s values. The Education Accountability Act requires that the state performance frameworks give the greatest weight to Academic Growth to Standard and Postsecondary and Workforce Readiness. Although all of the performance indicators provide evidence of a school/district’s success in preparing students for college- and career- readiness, growth is the leading indicator of progress towards this and postsecondary and workforce measures most closely reflect actual preparedness.

| Performance Indicator                 | ES/MS Weight | HS Weight |
|---------------------------------------|--------------|-----------|
| Academic Achievement                  | 25           | 15        |
| Academic Growth to Standard           | 50           | 35        |
| Academic Growth Gaps                  | 25           | 15        |
| Postsecondary and Workforce Readiness | N/A          | 35        |

Finally, the weighted percent of points earned sum up to an overall percent of framework points earned. A school/ district must meet the overall cut-points in the table below to earn its final school plan type or district accreditation designation on the School and District Performance Framework report.

#### Percent of Weighted Framework Points for Elementary and Middle Schools

| % of Framework Points Earned | Plan Type Assignment |
|------------------------------|----------------------|
| at or above 59%              | Performance          |
| at or above 47% - below 59%  | Improvement          |
| at or above 37% - below 47%  | Priority Improvement |
| below 37%                    | Turnaround           |

#### Percent of Weighted Framework Points for High Schools and Districts

| % of Framework Points Earned | Plan Type Assignment |
|------------------------------|----------------------|
| at or above 60%              | Performance          |
| at or above 47% - below 60%  | Improvement          |
| at or above 33% - below 47%  | Priority Improvement |
| below 33%                    | Turnaround           |

### Percent of Weighted Framework Points for Elementary and Middle Schools

| % of Framework Points Earned | Plan Type Assignment |
|------------------------------|----------------------|
| at or above 59%              | Performance          |
| at or above 47% - below 59%  | Improvement          |
| at or above 37% - below 47%  | Priority Improvement |
| below 37%                    | Turnaround           |

### Percent of Weighted Framework Points for High Schools and Districts

| % of Framework Points Earned | Plan Type Assignment |
|------------------------------|----------------------|
| at or above 60%              | Performance          |
| at or above 47% - below 60%  | Improvement          |
| at or above 33% - below 47%  | Priority Improvement |
| below 33%                    | Turnaround           |

#### *Participation Rate*

Although it does count for any points on the frameworks, participation rates do factor into a school/district's overall plan type or accreditation rating. Schools/districts must meet a 95% participation rate on the CSAP subject areas of reading, math, writing and science (similar to current AYP), as well as a 95% participation rate on the ACT. If a school/district does not meet this 95% participation rate in more than one area, its plan type or accreditation rating is lowered one level. For example, while a school's overall percent of framework points earned may earn it an Improvement Plan, if it does not meet the participation rate requirement, it is lowered to a Priority Improvement Plan.

For districts, there are two additional requirements included in the accreditation rating: safety and finance. If the district is out of compliance with safety or finance regulations, then the district's accreditation rating drops to Accredited with Priority Improvement Plan (or it remains there if already there, or stays Accredited with Turnaround Plan if already there).

#### *1-year vs. 3-year School and District Performance Framework Reports*

An additional way in which Colorado has strengthened the state's accountability system and added meaning to the performance frameworks is to generate two sets of School Performance Framework reports for schools and two sets of District Performance Framework reports for districts. The two sets of results are based on:

- (1) The most recent year of data (e.g., 2010-2011)
- (2) The most recent three years of data (e.g., 2008-09, 2009-10, 2010-2011)

CDE produces a report on the basis of three years of data to enable more schools and districts to be considered within the same performance framework. Some small schools/districts may not have public data on the basis of a single year because of small student (N) counts for some performance indicator

metrics, but a report on the basis of three years of data increases the student (N) counts. In the most recent release of SPF and DPF reports, for example, using a three-year report allows for 42 additional schools to receive performance framework reports when they would not have otherwise due to insufficient student counts.

For accountability purposes, only one of the two sets of results (1-year or 3-year) is used for the official school plan type assignment or district accreditation designation. It is: (1) the one under which the school/district has ratings on a greater number of the performance indicators (the SPF/DPF report that is more complete), or (2) if the two sets of reports have ratings for an equal number of indicators, the one under which the school/district received a higher total number of points and school plan type assignment or district accreditation designation (the SPF/DPF report that is better).

When using three years of data, the way the data is rolled up depends on the performance indicator.

### **Aggregating Data for 3-Year Performance Framework Reports**

#### Academic Achievement and Postsecondary and Workforce Readiness

The school performance framework report uses a weighted average of the three one-year values for the three most recent years. For example, if a school had 5 out of 10 students proficient in writing in 2008, 3 out of 4 students proficient in 2009, and 1 out of 3 students proficient in 2010, the framework calculation does not just take the straight average of .50, .75 and .33. Those averages are weighted by the number of students in each denominator so that the final percentage accurately reflects the proficiency profile of that school over that three-year period.

This dataset reflects all students enrolled, before October 1, who tested in a school in any one of the three years (2008, 2009 and 2010). Students that were continuously enrolled in a school for all of these years would have their data from all of those years in the same dataset. In other words, the same students may be represented multiple times within the data set.

#### Academic Growth to Standard and Academic Growth Gaps

The school performance framework report uses a 3-year rollup of data that combines all the data, from those three years, into one “pile” from that school, and performs calculations on that dataset just as if it had been a single year of data. For example, the set of the school’s student growth percentiles from all grades in 2008, 2009 and 2010 in mathematics are put into one data set and ordered; the middle value of that data set is the school’s 3-year median growth percentile.

Likewise, the adequate median growth percentile, for a school, is based on the adequate growth percentiles of all its students, for a given time period. Those values themselves are based on multiple years of past data and multiple years that students have before them, to catch up or keep up.

This dataset reflects all students enrolled before October 1, who tested in a school, in any one of the three years (2008, 2009 and 2010). Students that were continuously enrolled in a school for all of these years would have their data, from all of those years, in the same dataset. In other words, the same students are represented multiple times, within the dataset.

### Alternative Education Campus School Performance Frameworks

While the Education Accountability Act requires that Colorado generate School Performance Framework reports for all schools, it also requires the state to design a meaningful accountability tool for Alternative Education Campuses (AECs). These schools have specialized missions and serve a student population where either: (1) all students have severe limitations that preclude appropriate administration of the state assessments; (2) all students attend on a part-time basis and come from other public schools where the part-time students are counted in the enrollment of the other public school; or (3) more than 95% of the students have either an Individual Education Program and/or meet the definition of a high-risk student, as defined in SB-163. Schools can annually apply for designation as an AEC, and for 2011-12, based on the SB-163 previously described; the State Board has approved 72 schools as AECs.

Alternative Education Campuses receive a SPF report that is publicly reported like all traditional schools; however, they also receive an AEC-specific SPF report that determines their plan type. This AEC SPF report takes into account the unique purposes of the schools and the unique circumstances of the challenges posed by the students enrolled in the schools. It allows for accountability to be based on measures that are meaningful for AECs, given the context of their mission and goals and helps spur continuous improvement.

The AEC SPF includes the required state measures used on the performance indicators of Academic Achievement, Academic Growth to Standard, Student Engagement and Postsecondary and Workforce Readiness. However, it may also include optional additional measures. These additional measures are selected by the district to reflect the AEC's specific mission, but they must be approved by CDE. In addition, though the majority of the scoring and design of the AEC SPF report mirrors the traditional SPF report, the minimum state expectations or cut-points required to get a rating of *does not meet*, *approaching*, *meets*, or *exceeds*, are normed within AECs. For most measures, a school is *approaching* AEC norms if its results are at or above the 40<sup>th</sup> percentile of AECs, *meets* AEC norms if its results are at or above the 60<sup>th</sup> percentile and *exceeds* AEC norms if its results are at or above the 90<sup>th</sup> percentile. Once ratings are assigned for each measure and indicator, then points roll up in the same way they do on the traditional SPF report.

To arrive at an overall plan type, schools must meet the same cut-points used for traditional high schools. This results in the distribution presented in the table below. There is a greater percentage of Turnaround and Priority Improvement schools within the AECs (39.2%) compared to non-AEC schools (12%). AECs still have stringent accountability with a meaningful, AEC focused framework.

**Distribution of AEC Performance Framework Ratings**

|                             | Frequency | Percent |
|-----------------------------|-----------|---------|
| <b>Performance</b>          | 24        | 32.4    |
| <b>Improvement</b>          | 20        | 27.0    |
| <b>Priority Improvement</b> | 22        | 29.7    |
| <b>Turnaround</b>           | 7         | 9.5     |
| <b>N/A</b>                  | 1         | 1.4     |
| <b>Total</b>                | 74        | 100.0   |

Based on their plan type, AECs then engage in the same improvement planning process as all other schools and the same system of recognition, accountability and support follows. Without the AEC framework, all of these schools would be assigned to a Turnaround Plan. Not only would this skew our list of priority schools and detract the state from focusing improvement efforts on the schools in greatest need, but it would prevent the state from identifying truly successful Alternative Education Campuses who are able to prepare their students for college and career success where other traditional schools have failed.

#### *Request to Reconsider Process*

Colorado has also streamlined accountability systems by aligning local school accreditation with the state's evaluation of school performance through the School Performance Framework reports. Although districts locally accredit schools, they may use the state's School Performance Framework report as the basis of accreditation, and the majority of Colorado's districts opt to do so. Other districts continue to accredit schools through their own local performance frameworks. However, any district that uses its own framework for accreditation purposes must demonstrate that its framework is at least as comprehensive and rigorous as the state framework; the Education Accountability Act requires districts' school accreditation ratings to correlate with the SPF reports. A district's local performance framework must also include the same four performance indicators and give greatest weight to growth and, for high schools, postsecondary and workforce readiness. Ultimately, the Department still assigns every school to a plan type based on the CDE school performance framework report.

As a part of this alignment effort, no later than October 15<sup>th</sup> of each school year, districts must submit to the Department the accreditation category that the district has assigned to each school and the performance framework used by the district for that accreditation assignment, including evidence of the school's level of attainment on them. Within this timeline, districts are afforded the opportunity to disagree with the Department's initial assignment of a district accreditation category or school plan type. If a district disagrees with the Department's initial assignment, the district may submit additional information for CDE's consideration and request an alternate accreditation category or plan type.

This request, known as a Request to Reconsider, can be based on either (1) a body of evidence- valid and reliable data demonstrating the progress the district/school has made in its performance on the State's key performance indicators and in meeting minimum expectations set by the state, or (2) major improvement strategies and implementation benchmarks – specific improvements, changes and interventions the district/school has implemented based on the district/schools Performance plan, Improvement Plan, Priority Improvement Plan or Turnaround plan, and associated measures and metrics demonstrating the extent to which the district/school has met the implementation benchmarks set in its plan. This process allows for districts to make a case for why a school should be assigned a higher or lower SPF plan type based on outcome data and improvement efforts underway - information the state may not have.

The Department reviews each Request to Reconsider on a case-by-case basis. CDE staff evaluate the extent to which the request meets the intent and rigor of the state's accountability standards and makes a recommendation to the Commissioner and State Board as to the district's final accreditation category and/or school plan type. No later than November 15<sup>th</sup> of each school year, the Department notifies districts of their final accreditation category. No later than December of each school year, the State Board makes a final determination of school plan types.

For more information on Requests to Reconsider, please go to:

<http://www.cde.state.co.us/Accountability/Downloads/SubmittingSchoolAccreditationandRequeststoReconsider.pdf>.



Appendix 5 – Unified Improvement Plan (UIP) School and District Templates

Colorado’s Unified Improvement Plan for Schools for 2011-12

Organization Code: [xxxx] District Name: [Name] School Code: [xxxx] School Name: [Name] SPF Year: [xxxx] Accountable by: [1-year/3-year]

Section I: Summary Information about the School

Directions: This section summarizes your school's performance on the federal and state accountability measures in 2010-11. In the table below, CDE has pre-populated the school's data in blue text. This data shows the school's performance in meeting minimum federal – Adequate Yearly Progress (AYP) – and state accountability expectations – School Performance Framework (SPF) data. Columns highlighted in yellow indicate the SPF results (1-year or 3-year) that are applied to the school for accountability purposes. This summary should accompany your improvement plan.

Student Performance Measures for State and ESEA Accountability

| Performance Indicators        | Measures/ Metrics                                                                                                                                                                                                                                           | '10-11 Federal and State Expectations     |                            | '10-11 School Results |                                   | Meets Expectations? |                                                                                                                                         |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------|-----------------------|-----------------------------------|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
|                               |                                                                                                                                                                                                                                                             | 1-year                                    | 3-years                    | 1-year                | 3-years                           |                     |                                                                                                                                         |
| Academic Achievement (Status) | CSAP, CSAPA, Lectura, Escritura<br>Description: % P+A in reading, writing, math and science<br>Expectation: %P+A is above the 50 <sup>th</sup> percentile by using 1-year or 3-years of data                                                                | Reading                                   | [%]                        | [%]                   | [%]                               | [%]                 | Overall Rating for Academic Achievement:<br>[SPF Rating]<br><br>* Consult your SPF for the ratings for each content area at each level. |
|                               |                                                                                                                                                                                                                                                             | Math                                      | [%]                        | [%]                   | [%]                               | [%]                 |                                                                                                                                         |
|                               |                                                                                                                                                                                                                                                             | Writing                                   | [%]                        | [%]                   | [%]                               | [%]                 |                                                                                                                                         |
|                               |                                                                                                                                                                                                                                                             | Science                                   | [%]                        | [%]                   | [%]                               | [%]                 |                                                                                                                                         |
|                               | Adequate Yearly Progress (AYP)<br>Description: % PP+P+A on CSAP, CSAPA and Lectura in Reading and Math for each group<br>Expectation: Targets set by state*                                                                                                 | Overall number of targets for School: [#] |                            |                       | % of targets met by School: [%]** |                     | Reading                                                                                                                                 |
| Academic Growth               | Median Student Growth Percentile<br>Description: Growth in CSAP for reading, writing and math<br>Expectation: If school met adequate growth, then median SGP is at or above 45<br>If school did not meet adequate growth, then median SGP is at or above 55 | Reading                                   | Median Adequate SGP<br>[#] | Median SGP<br>45/55   | Median SGP: [#]                   |                     | Overall Rating for Academic Growth:<br>[SPF Rating]<br><br>* Consult your SPF for the ratings for each content area at each level.      |
|                               |                                                                                                                                                                                                                                                             | Math                                      | [#]                        | 45/55                 | Median SGP: [#]                   |                     |                                                                                                                                         |
|                               |                                                                                                                                                                                                                                                             | Writing                                   | [#]                        | 45/55                 | Median SGP: [#]                   |                     |                                                                                                                                         |

\* To see annual AYP targets, go to: [www.cde.state.co.us/FedPrograms/danda/aypprof.asp](http://www.cde.state.co.us/FedPrograms/danda/aypprof.asp)

\*\* To see your school's detailed AYP report (includes school results by content area, disaggregated group and school level), access the report in the Automated Data Exchange AYP System.

Student Performance Measures for State and ESEA Accountability (cont.)

| Performance Indicators          | Measures/ Metrics                                                                                                                                                                                                                                                                                          | '10-11 Federal and State Expectations                                                                                                                                                                                                                                              | '10-11 School Results                                                                              | Meets Expectations?                                          |         |         |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------|---------|---------|
| <b>Academic Growth Gaps</b>     | <p>Median Student Growth Percentile<br/>Description: Growth for reading, writing and math by disaggregated groups.<br/>Expectation: If disaggregated groups met adequate growth, median SGP is at or above 45.<br/>If disaggregated groups did not meet adequate growth, median SGP is at or above 55.</p> | See your school's performance frameworks for listing of median adequate growth expectations for your school's disaggregated groups, including free/reduced lunch eligible, minority students, students with disabilities, English Language Learners and students below proficient. | See your school's performance frameworks for listing of median growth by each disaggregated group. | Overall Rating for Growth Gaps:<br>[SPF Rating]              |         |         |
| <b>Post Secondary Readiness</b> | <p>Graduation Rate<br/>Expectation: 80% on the most recent 4-year, 5-year, 6-year or 7-year graduation rate</p>                                                                                                                                                                                            | 80%                                                                                                                                                                                                                                                                                |                                                                                                    | Overall Rating for Post Secondary Readiness:<br>[SPF Rating] |         |         |
|                                 |                                                                                                                                                                                                                                                                                                            | Best of 4-year through 7-year Grad Rate<br>[%] using a [4-7 year] grad rate                                                                                                                                                                                                        |                                                                                                    |                                                              |         |         |
|                                 | <p>Dropout Rate<br/>Expectation: At or below State average</p>                                                                                                                                                                                                                                             | 1-year                                                                                                                                                                                                                                                                             | 3-years                                                                                            |                                                              | 1-year  | 3-years |
|                                 |                                                                                                                                                                                                                                                                                                            | 5.09%                                                                                                                                                                                                                                                                              | 5.74%                                                                                              |                                                              | [%]     | [%]     |
|                                 | <p>Mean ACT Composite Score<br/>Expectation: At or above State average</p>                                                                                                                                                                                                                                 | 1-year                                                                                                                                                                                                                                                                             | 3-years                                                                                            | 1-year                                                       | 3-years |         |
|                                 |                                                                                                                                                                                                                                                                                                            | 19                                                                                                                                                                                                                                                                                 | 20                                                                                                 | [#]                                                          | [#]     |         |

Accountability Status and Requirements for Improvement Plan

| Program                                           | Identification Process                                                                                                                               | Identification for School | Directions for completing improvement plan                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>State Accountability</b>                       |                                                                                                                                                      |                           |                                                                                                                                                                                                                                                                                                                                                                                    |
| Recommended Plan Type                             | Plan assigned based on school's overall school performance framework score (achievement, growth, growth gaps, postsecondary and workforce readiness) | Available Nov 2011        | Once the plan type for the school has been finalized, this report will be re-populated in November 2011. Specific directions will be included at that time. For required elements in the improvement plans, go to: <a href="http://www.cde.state.co.us/Accountability/UnifiedImprovementPlanning.asp">http://www.cde.state.co.us/Accountability/UnifiedImprovementPlanning.asp</a> |
| <b>ESEA Accountability</b>                        |                                                                                                                                                      |                           |                                                                                                                                                                                                                                                                                                                                                                                    |
| School Improvement or Corrective Action (Title I) | Title I school missed same AYP target(s) for at least two consecutive years**                                                                        | Available Nov 2011        | Once the improvement status for the school has been finalized, this report will be re-populated in November. Specific directions will be included then. For required elements in the improvement plans, go to: <a href="http://www.cde.state.co.us/Accountability/UnifiedImprovementPlanning.asp">http://www.cde.state.co.us/Accountability/UnifiedImprovementPlanning.asp</a>     |

## Section II: Improvement Plan Information

Directions: This section should be completed by the school or district.

### Additional Information about the School

| Comprehensive Review and Selected Grant History |                                                                                                                                                    |                                                                                                                                                  |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Title I Program                                 | Does the school receive Title I funds? If yes, indicate the type of Title I program                                                                | <input type="checkbox"/> Targeted Assistance <input type="checkbox"/> Schoolwide                                                                 |
| Related Grant Awards                            | Did the school receive a Tiered Intervention grant? Indicate the intervention approach.                                                            | <input type="checkbox"/> Turnaround <input type="checkbox"/> Restart<br><input type="checkbox"/> Transformation <input type="checkbox"/> Closure |
|                                                 | Has the school received a School Improvement grant? When was the grant awarded?                                                                    |                                                                                                                                                  |
| School Support Team or Expedited Review         | Has (or will) the school participated in an SST review or Expedited Review? When?                                                                  |                                                                                                                                                  |
| External Evaluator                              | Has the school partnered with an external evaluator to provide comprehensive evaluation? Indicate the year and the name of the provider/tool used. |                                                                                                                                                  |

### Improvement Plan Information

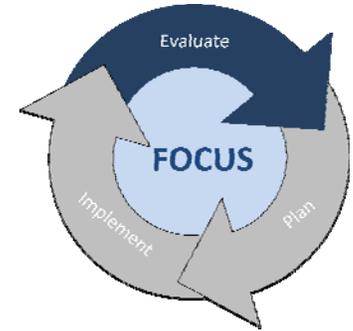
The school is submitting this improvement plan to satisfy requirements for (check all that apply):

State Accountability     Title IA     Tiered Intervention Grant     School Improvement Grant     Other: \_\_\_\_\_

| School Contact Information (Additional contacts may be added, if needed) |                 |  |
|--------------------------------------------------------------------------|-----------------|--|
| 1                                                                        | Name and Title  |  |
|                                                                          | Email           |  |
|                                                                          | Phone           |  |
|                                                                          | Mailing Address |  |
|                                                                          |                 |  |
| 2                                                                        | Name and Title  |  |
|                                                                          | Email           |  |
|                                                                          | Phone           |  |
|                                                                          | Mailing Address |  |

### Section III: Narrative on Data Analysis and Root Cause Identification

This section corresponds with the “evaluate” portion of the continuous improvement cycle. In the text box at the end of this section, provide a narrative that describes the process and results of the analysis of the data for your school. Two worksheets have been provided to help organize your data analysis for your narrative. This analysis section includes: identifying where the school did not at least meet minimum state and federal accountability expectations, describing progress toward targets for the prior school year, describing what performance data were used in the analysis of trends, identifying trends and priority performance challenges (negative trends), describing how performance challenges were prioritized, identifying the root causes of performance challenges, describing how the root causes were identified and verified (with more than one data source) and what data were used, and describing stakeholder involvement in the analysis. Additional guidance on how to engage in the data analysis process is provided in Unified Improvement Planning Handbook.



#### Worksheet: Progress Monitoring of Prior Year’s Performance Targets

**Directions:** This chart supports analysis of progress made towards performance targets set for the 2010-11 school year (last year’s plan). This information should be considered as a part of the data analysis narrative and in setting or modifying targets (section IV) for the 2011-12 and 2012-13 school years. You may add rows, as necessary.

| Performance Indicators           | Targets for 2010-11 school year<br>(Targets set in last year’s plan) | Target met? How close was school in meeting the target? |
|----------------------------------|----------------------------------------------------------------------|---------------------------------------------------------|
| Academic Achievement<br>(Status) |                                                                      |                                                         |
| Academic Growth                  |                                                                      |                                                         |
| Academic Growth Gaps             |                                                                      |                                                         |
| Post Secondary<br>Readiness      |                                                                      |                                                         |

**Worksheet: Data Analysis**

**Directions:** This chart supports planning teams in recording and organizing observations about school-level data for the required data narrative. Planning teams should describe positive and negative trends for all of the four performance indicators using at least three years of data. Prioritize the performance challenges that the school will focus its efforts on improving. The root cause analysis and improvement planning efforts in the remainder of the plan will be aimed at addressing the identified priority performance challenge(s). A limited number of priority performance challenges is recommended. At a minimum, priority performance challenges must be identified in any of the four performance indicator areas where minimum state and federal expectations were not met for accountability purposes. Consider observations recorded in the "last year's targets" worksheet. Provide a brief description of the root cause analysis for any priority performance challenges. You may add rows, as necessary.

| Performance Indicators           | Description of Trends<br>(3 years of past data) | Priority Performance<br>Challenges | Root Causes |
|----------------------------------|-------------------------------------------------|------------------------------------|-------------|
| Academic Achievement<br>(Status) |                                                 |                                    |             |
|                                  |                                                 |                                    |             |
| Academic Growth                  |                                                 |                                    |             |
|                                  |                                                 |                                    |             |
| Academic Growth Gaps             |                                                 |                                    |             |
|                                  |                                                 |                                    |             |
| Post Secondary<br>Readiness      |                                                 |                                    |             |
|                                  |                                                 |                                    |             |

## Data Narrative for School

**Directions:** Describe the process and results of the data analysis for the school, including review of prior years' targets, trends, priority performance challenges and root cause analysis. This analysis should be tightly linked to section IV; targets and action planning should be aimed at addressing the priority performance challenges and root causes identified in this section. The narrative should not take more than five pages.

## Data Narrative for School

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                     |                                                                                                                       |                                                                                     |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <p><b>Trend Analysis and Performance Challenges:</b> What data did we use to identify trends? What are the positive and negative trends in our school's performance for each indicator area? Does this differ for any disaggregated student groups (e.g., by grade level or gender)? In which areas did we not at least meet minimum state and federal expectations? What performance challenges are the highest priorities for our school? How/why did we determine these to be our priorities? How did we engage stakeholders in this analysis?</p> |  | <p><b>Root Cause Analysis:</b> Why do we think our school's performance is what it is? How did we determine that?</p> |  | <p><b>Verification of Root Cause:</b> What evidence do we have for our conclusions?</p> |
| <p>Narrative:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |                                                                                                                       |                                                                                     |                                                                                         |

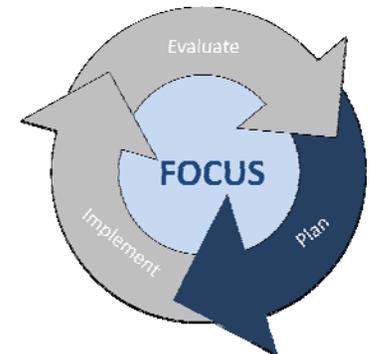
## Section IV: Action Plan(s)

This section addresses the "plan" portion of the continuous improvement cycle. First, you will identify your annual performance targets and the interim measures. This will be documented in the required School Goals Form below. Then you will move into action planning, which should be captured in the Action Planning Form.

### School Target Setting Form

**Directions:** Complete the worksheet below. While schools may set targets for all performance indicators, at a minimum, they must set targets for those priority performance challenges identified in Section III (e.g., by disaggregated student groups, grade levels, subject areas).

For federal accountability, annual targets for AYP have already been determined by the state and may be viewed on the CDE website at: [www.cde.state.co.us/FedPrograms/danda/aypprof.asp](http://www.cde.state.co.us/FedPrograms/danda/aypprof.asp). Safe Harbor and Matched Safe Harbor goals may be used instead of performance targets. For state accountability, schools are expected to set their own annual targets for academic achievement, academic growth, academic growth gaps and postsecondary and workforce readiness. For each annual performance target, identify interim measures that will be used to monitor progress toward the annual targets at least quarterly during the school year. Finally, list the major improvement strategies that will enable the school to meet each target. The major improvement strategies will be detailed in the Action Planning Form at the end of this section.



School Target Setting Form

| Performance Indicators               | Measures/Metrics                                | Priority Performance Challenges | Annual Performance Targets |         | Interim Measures for 2011-12 | Major Improvement Strategies |
|--------------------------------------|-------------------------------------------------|---------------------------------|----------------------------|---------|------------------------------|------------------------------|
|                                      |                                                 |                                 | 2011-12                    | 2012-13 |                              |                              |
| Academic Achievement (Status)        | CSAP, CSAPA, Lectura, Escritura                 | R                               |                            |         |                              |                              |
|                                      |                                                 | M                               |                            |         |                              |                              |
|                                      |                                                 | W                               |                            |         |                              |                              |
|                                      |                                                 | S                               |                            |         |                              |                              |
|                                      | AYP (Overall and for each disaggregated groups) | R                               |                            |         |                              |                              |
|                                      |                                                 | M                               |                            |         |                              |                              |
| Academic Growth                      | Median Student Growth Percentile                | R                               |                            |         |                              |                              |
|                                      |                                                 | M                               |                            |         |                              |                              |
|                                      |                                                 | W                               |                            |         |                              |                              |
| Academic Growth Gaps                 | Median Student Growth Percentile                | R                               |                            |         |                              |                              |
|                                      |                                                 | M                               |                            |         |                              |                              |
|                                      |                                                 | W                               |                            |         |                              |                              |
| Post Secondary & Workforce Readiness | Graduation Rate                                 |                                 |                            |         |                              |                              |
|                                      | Dropout Rate                                    |                                 |                            |         |                              |                              |
|                                      | Mean ACT                                        |                                 |                            |         |                              |                              |

**Action Planning Form**

**Directions:** Identify the major improvement strategy(s) that will address the root causes determined in Section III. For each major improvement strategy, identify the root cause(s) that the action steps will help to dissolve. Then, indicate which accountability provision or grant opportunity it will address. In the chart below, provide details about key action steps necessary to implement the major improvement strategy. Details should include the action steps that will be taken to implement the major improvement strategy, a general timeline, resources that will be used to implement the actions, and implementation benchmarks. Add rows in the chart, as needed. While space has been provided for three major improvement strategies, the school may add other major strategies, as needed.

**Major Improvement Strategy #1:** \_\_\_\_\_ **Root Cause(s) Addressed:** \_\_\_\_\_

**Accountability Provisions or Grant Opportunities Addressed by this Major Improvement Strategy** (check all that apply):

- School Plan under State Accountability     
  Title IA School Improvement/Corrective Action Plan     
  Application for a Tiered Intervention Grant  
 Title I schoolwide or targeted assistance plan requirements     
  School Improvement Grant

| Description of Action Steps to Implement the Major Improvement Strategy | Timeline | Key Personnel* | Resources<br>(Amount and Source: federal, state, and/or local) | Implementation Benchmarks | Status of Action Step* (e.g., completed, in progress, not begun) |
|-------------------------------------------------------------------------|----------|----------------|----------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |

\* Note: These two columns are not required to meet state or federal accountability requirements, although completion is recommended. "Status of Action Step" may be required for certain grants (e.g., Tiered Intervention Grant).

Major Improvement Strategy #2: \_\_\_\_\_

Root Cause(s) Addressed: \_\_\_\_\_

**Accountability Provisions or Grant Opportunities Addressed by this Major Improvement Strategy** (check all that apply):

- School Plan under State Accountability     
  Title IA School Improvement/Corrective Action Plan     
  Application for a Tiered Intervention Grant  
 Title I schoolwide or targeted assistance plan requirements     
  School Improvement Grant

| Description of Action Steps to Implement the Major Improvement Strategy | Timeline | Key Personnel* | Resources<br>(Amount and Source: federal, state, and/or local) | Implementation Benchmarks | Status of Action Step* (e.g., completed, in progress, not begun) |
|-------------------------------------------------------------------------|----------|----------------|----------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |

Major Improvement Strategy #3: \_\_\_\_\_

Root Cause(s) Addressed: \_\_\_\_\_

**Accountability Provisions or Grant Opportunities Addressed by this Major Improvement Strategy** (check all that apply):

- School Plan under State Accountability     
  Title IA School Improvement/Corrective Action Plan     
  Application for a Tiered Intervention Grant  
 Title I schoolwide or targeted assistance plan requirements     
  School Improvement Grant

| Description of Action Steps to Implement the Major Improvement Strategy | Timeline | Key Personnel* | Resources<br>(Amount and Source: federal, state, and/or local) | Implementation Benchmarks | Status of Action Step* (e.g., completed, in progress, not begun) |
|-------------------------------------------------------------------------|----------|----------------|----------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |
|                                                                         |          |                |                                                                |                           |                                                                  |

## Section V: Appendices

Schools may add additional documentation to meet their unique needs. In particular, optional forms are available to supplement the improvement plan for schools to ensure that the requirements for the following have been fully met:

- Title I Schoolwide Program
- Title I Targeted Assistance Program
- Title I Improvement, Corrective Action or Restructuring
- Additional Requirements for Turnaround Status Under State Accountability
- Competitive School Grants (e.g., Tiered Intervention Grant, Closing The Achievement Gap)

**Cover Sheet for Colorado's Unified Improvement Plan for Districts for 2011-12**

Organization Code: [xxxx] District Name: [Name]

AU Code: [xxxx] AU Name: [Name]

DPF Year: [1-Year/3-Years]

**Section I: Summary Information about the District/Consortium**

**Directions:** This section summarizes your district/consortium's performance on the federal and state accountability measures in 2010-11. In the table below, CDE has pre-populated the district/consortium's data in blue text. This data shows the district/consortium's performance in meeting minimum federal – Adequate Yearly Progress (AYP) – and state accountability expectations – District Performance Framework (DPF) data. This summary should accompany your improvement plan.

**Student Performance Measures for State and Federal Accountability**

| Performance Indicators        | Measures/ Metrics                                                                                                                                                                                                                                                                          | 2010-11 Federal and State Expectations      |       |     | 2010-11 District Results          |      |     | Meets Expectations? |                                                                                                                                                                 |        |       |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-------|-----|-----------------------------------|------|-----|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------|
|                               |                                                                                                                                                                                                                                                                                            |                                             | Elem  | MS  | HS                                | Elem | MS  | HS                  |                                                                                                                                                                 | Elem   | MS    |
| Academic Achievement (Status) | CSAP, CSAPA, Lectura, Escritura<br>Description: % P+A in reading, writing, math and science<br>Expectation: %P+A is above the 50 <sup>th</sup> percentile by using 1-year or 3-years of data                                                                                               | R                                           | [%]   | [%] | [%]                               | [%]  | [%] | [%]                 | Overall Rating for Academic Achievement: [DPF Rating]<br><br>* Consult your District Performance Framework for the ratings for each content area at each level. |        |       |
|                               |                                                                                                                                                                                                                                                                                            | M                                           | [%]   | [%] | [%]                               | [%]  | [%] | [%]                 |                                                                                                                                                                 |        |       |
|                               |                                                                                                                                                                                                                                                                                            | W                                           | [%]   | [%] | [%]                               | [%]  | [%] | [%]                 |                                                                                                                                                                 |        |       |
|                               |                                                                                                                                                                                                                                                                                            | S                                           | [%]   | [%] | [%]                               | [%]  | [%] | [%]                 |                                                                                                                                                                 |        |       |
|                               | ESEA: Adequate Yearly Progress (AYP)<br>Description: % PP+P+A on CSAP, CSAPA and Lectura in reading and math for each group<br>Expectation: Targets set by state<br><a href="http://www.cde.state.co.us/FedPrograms/danda/ayprof.asp">www.cde.state.co.us/FedPrograms/danda/ayprof.asp</a> | Overall number of targets for District: [#] |       |     | % of targets met by District: [%] |      |     | R                   | Elem                                                                                                                                                            | MS     | HS    |
|                               |                                                                                                                                                                                                                                                                                            |                                             |       |     |                                   |      |     | M                   | [Y/No]                                                                                                                                                          | [Y/No] | [Y/N] |
|                               |                                                                                                                                                                                                                                                                                            |                                             |       |     |                                   |      |     | Grad                | --                                                                                                                                                              | --     | [Y/N] |
|                               | IDEA: CSAP, CSAPA for Students with Disabilities on IEPs<br>Description: % PP+P+A in reading and math for students with IEPs<br>Expectation: Targets set by state in State Performance Plan                                                                                                | R                                           | 59.0% |     |                                   | [%]  |     |                     | [Y/No]                                                                                                                                                          |        |       |
|                               |                                                                                                                                                                                                                                                                                            | M                                           | 59.5% |     |                                   | [%]  |     |                     | [Y/No]                                                                                                                                                          |        |       |

**Student Performance Measures for State and Federal Accountability (cont.)**

| Performance Indicators                                             | Measures/ Metrics                                                                                                                                                                                                                                                                                | 2010-11 Federal and State Expectations                                                                                                                                                                                                                                                 |                     |          | 2010-11 District Results                                                                             |                                  |              | Meets Expectations?                                                                                                                                                                                        |                                                                                                                                                                            |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------|------------------------------------------------------------------------------------------------------|----------------------------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Academic Growth                                                    | Median Student Growth Percentile<br>Description: Growth in CSAP for reading, writing and math<br>Expectation: If district met adequate growth: then median SGP is at or above 45.<br>If district did not meet adequate growth: then median SGP is at or above 55.                                | R                                                                                                                                                                                                                                                                                      | Median Adequate SGP |          |                                                                                                      | Median SGP                       |              |                                                                                                                                                                                                            | Overall Rating for Academic Growth: <a href="#">[DPF Rating]</a><br><br>* Consult your District Performance Framework for the ratings for each content area at each level. |
|                                                                    |                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                        | Elem                | MS       | HS                                                                                                   | Elem                             | MS           | HS                                                                                                                                                                                                         |                                                                                                                                                                            |
|                                                                    |                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                        | [#]                 | [#]      | [#]                                                                                                  | [#]                              | [#]          | [#]                                                                                                                                                                                                        |                                                                                                                                                                            |
|                                                                    |                                                                                                                                                                                                                                                                                                  | M                                                                                                                                                                                                                                                                                      | [#]                 | [#]      | [#]                                                                                                  | [#]                              | [#]          | [#]                                                                                                                                                                                                        |                                                                                                                                                                            |
| W                                                                  | [#]                                                                                                                                                                                                                                                                                              | [#]                                                                                                                                                                                                                                                                                    | [#]                 | [#]      | [#]                                                                                                  | [#]                              |              |                                                                                                                                                                                                            |                                                                                                                                                                            |
| Academic Growth Gaps                                               | Median Student Growth Percentile<br>Description: Growth for reading, writing and math by disaggregated groups.<br>Expectation: If disaggregated groups met adequate growth, median SGP is at or above 45.<br>If disaggregated groups did not meet adequate growth, median SGP is at or above 55. | See your district's performance frameworks for listing of median adequate growth expectations for your district's disaggregated groups, including free/reduced lunch eligible, minority students, students with disabilities, English Language Learners and students below proficient. |                     |          | See your district's performance frameworks for listing of median growth by each disaggregated group. |                                  |              | Overall Rating for Growth Gaps: <a href="#">[DPF Rating]</a><br><br>* Consult your District Performance Framework for the ratings for each student disaggregated group at each content area at each level. |                                                                                                                                                                            |
| Post Secondary/ Workforce Readiness                                | Graduation Rate<br>Expectation: 80% on the most recent 4-year, 5-year, 6-year or 7-year graduation rate. For IDEA, disaggregate by students on IEPs.                                                                                                                                             | 80% or above(overall and for students on IEPs)                                                                                                                                                                                                                                         |                     |          | Best of 4-year through 7- year Grad Rate                                                             |                                  |              | Overall Rating for Post Secondary Readiness: <a href="#">[DPF Rating]</a>                                                                                                                                  |                                                                                                                                                                            |
|                                                                    |                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                        |                     |          | Overall                                                                                              | [%] using a [4-7] year grad rate |              |                                                                                                                                                                                                            | [DPF Rating]                                                                                                                                                               |
|                                                                    | IEPs                                                                                                                                                                                                                                                                                             | [%]                                                                                                                                                                                                                                                                                    |                     | [Yes/No] |                                                                                                      |                                  |              |                                                                                                                                                                                                            |                                                                                                                                                                            |
|                                                                    | Dropout Rate<br>Expectation: At or below State average overall. For IDEA, disaggregate by students on IEPs.                                                                                                                                                                                      | Overall                                                                                                                                                                                                                                                                                | [%]                 |          | [%]                                                                                                  |                                  | [DPF Rating] |                                                                                                                                                                                                            |                                                                                                                                                                            |
| IEPs                                                               |                                                                                                                                                                                                                                                                                                  | [%]                                                                                                                                                                                                                                                                                    |                     | [%]      |                                                                                                      | [Yes/No]                         |              |                                                                                                                                                                                                            |                                                                                                                                                                            |
| Mean ACT Composite Score<br>Expectation: At or above State average | [#]                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                        |                     | [#]      |                                                                                                      |                                  | [DPF Rating] |                                                                                                                                                                                                            |                                                                                                                                                                            |

Student Performance Measures for State and Federal Accountability (cont.)

| Performance Indicators                      | Measures/ Metrics                                                                                                              | 2010-11 Federal and State Expectations                | 2010-11 Grantee Results | Meets Expectations? |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------|---------------------|
| English Language Development and Attainment | <b>AMAO 1</b><br>Description: % making progress in learning English on CELA<br>Expectation: Targets set by state for all AMAOs | 50% of students meet AMAO 1 expectations <sup>3</sup> | [%]                     | [Yes/No]            |
|                                             | <b>AMAO 2</b><br>Description: % attaining English proficiency on CELA                                                          | 6% of students meet AMAO 2 expectations               | [%]                     | [Yes/No]            |
|                                             | <b>AMAO 3</b><br>Description: % of AYP targets met for the ELL disaggregated group                                             | All (100%) ELL AYP targets are met by district        | [%]                     | [Yes/No]            |

Educator Qualification and Effectiveness Measures

| Performance Indicators | Measures/ Metrics                                                     | 2010-11 State and Federal Expectations             | District Results |     | Meets Expectations? |
|------------------------|-----------------------------------------------------------------------|----------------------------------------------------|------------------|-----|---------------------|
| Teacher Qualifications | % of classes taught by Highly Qualified Teachers (as defined by NCLB) | 100% of core content classes taught by HQ teachers | 2008-09          | [%] | [Yes/No]            |
|                        |                                                                       |                                                    | 2009-10          | [%] | [Yes/No]            |
|                        |                                                                       |                                                    | 2010-11          | [%] | [Yes/No]            |

## Accountability Status and Requirements for Improvement Plan

| Program                                                                        | Identification Process                                                                                                                                   | Identification for District | Directions for completing improvement plan                                                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>State Accountability and Grant Programs</b>                                 |                                                                                                                                                          |                             |                                                                                                                                                                                                                                                                                                                                                  |
| <b>Recommended Plan Type for State Accreditation</b>                           | Plan assigned based on district's overall district performance framework score (achievement, growth, growth gaps, postsecondary and workforce readiness) | Available Nov 2011          | Once the plan type for the district has been finalized, this report will be re-populated in November 2011. Specific directions will be included at that time. For required elements in the improvement plans, go to: <a href="http://www.schoolview.org/UnifiedImprovementPlanning.asp">www.schoolview.org/UnifiedImprovementPlanning.asp</a>    |
| <b>Student Graduation and Completion Plan (Designated Graduation District)</b> | District had a graduation rate (1) below 70% in 2007-8, and (2) below 59.5% in 2008-09 and (3) a dropout rate above 8%.                                  | Available Nov 2011          | Once the district identification has been finalized, this report will be re-populated in November 2011. Specific directions will be included at that time. For required elements in the improvement plans, go to: <a href="http://www.schoolview.org/UnifiedImprovementPlanning.asp">www.schoolview.org/UnifiedImprovementPlanning.asp</a>       |
| <b>ESEA Accountability</b>                                                     |                                                                                                                                                          |                             |                                                                                                                                                                                                                                                                                                                                                  |
| <b>Program Improvement or Corrective Action (Title IA)</b>                     | District missed AYP target(s) in the same content area and level for at least two consecutive years                                                      | Available Nov 2011          | Once improvement status for districts has been finalized, this report will be re-populated in November 2011. Specific directions will be included at that time. For required elements in the improvement plans, go to: <a href="http://www.schoolview.org/UnifiedImprovementPlanning.asp">www.schoolview.org/UnifiedImprovementPlanning.asp</a>  |
| <b>2141c (Title IIA)</b>                                                       | District did not make district AYP and did not meet HQ targets for three consecutive years                                                               | Available Nov 2011          | Once identification of 2141c districts has been finalized, this report will be re-populated in November 2011. Specific directions will be included at that time. For required elements in the improvement plans, go to: <a href="http://www.schoolview.org/UnifiedImprovementPlanning.asp">www.schoolview.org/UnifiedImprovementPlanning.asp</a> |
| <b>Program Improvement (Title III)</b>                                         | District/Consortium missed AMAOs for two consecutive years                                                                                               | Available Nov 2011          | Once improvement status for grantees has been finalized, this report will be re-populated in November 2011. Specific directions will be included at that time. For required elements in the improvement plans, go to: <a href="http://www.schoolview.org/UnifiedImprovementPlanning.asp">www.schoolview.org/UnifiedImprovementPlanning.asp</a>   |

## Section II: Improvement Plan Information

Directions: This section should be completed by the district/consortium lead.

### Additional Information about the District

#### Comprehensive Review and Selected Grant History

|                      |                                                                                                                                                               |  |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Related Grant Awards | Is the district participating in any grants associated with district improvement (e.g., CTAG, District Improvement Grant)? Provide relevant details.          |  |
| CADI                 | Has or will the district participated in a CADI review? If so, when?                                                                                          |  |
| Self-Assessment      | Has the district recently participated in a comprehensive self- assessment for Title IA Corrective Action? If so, include the year and name of the tool used. |  |
| External Evaluator   | Has the district(s) partnered with an external evaluator to provide comprehensive evaluation? Indicate the year and the name of the provider/tool used.       |  |

### Improvement Plan Information

The district/consortium is submitting this improvement plan to satisfy requirements for (check all that apply):

**Accountability Provisions or Grant Opportunities Addressed by this Major Improvement Strategy** (check all that apply):

- State Accreditation     
  Student Graduation and Completion Plan (Designated Graduation District)     
  Title IA     
  Title IIA  
 Title III     
  CTAG Grant     
  District Partnership Grant     
  District Improvement Grant     
  Other: \_\_\_\_\_

For districts with less than 1,000 students: This plan is satisfying improvement plan requirements for:  District Only       District and School Level Plans

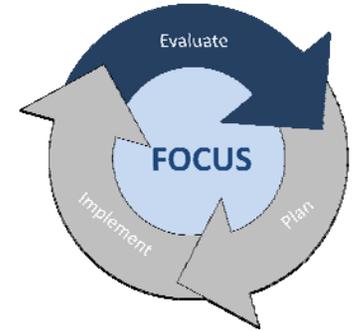
If schools are included in this plan, attach their pre-populated reports and provide the names of the schools: \_\_\_\_\_

#### District or Consortium Lead Contact Information (Additional contacts may be added, if needed)

|                 |  |
|-----------------|--|
| Name and Title  |  |
| Email           |  |
| Phone           |  |
| Mailing Address |  |

### Section III: Narrative on Data Analysis and Root Cause Identification

This section corresponds with the “evaluate” portion of the continuous improvement cycle. In the text box at the end of this section, provide a narrative that describes the process and results of the analysis of the data for your district/consortium. Two worksheets have been provided to help organize your data analysis for your narrative. This analysis section includes: identifying where the district/consortium did not at least meet minimum state and federal accountability expectations, describing progress toward targets for the prior school year, describing what performance data were used in the analysis of trends, identifying trends and priority performance challenges (negative trends), describing how performance challenges were prioritized, identifying the root causes of performance challenges, describing how the root causes were identified and verified (with more than one data source) and what data were used, and describing stakeholder involvement in the analysis. Additional guidance on how to engage in the data analysis process is provided in Unified Improvement Planning Handbook.



#### Worksheet: Progress Monitoring of Prior Year’s Performance Targets

**Directions:** This chart supports analysis of progress made towards performance targets set for the 2010-11 school year (last year’s plan). This information should be considered as a part of the data analysis narrative and in setting or modifying targets (section IV) for the 2011-12 and 2012-13 school years. You may add rows, as necessary.

| Performance Indicators                              | Targets for 2010-11 school year | Target met? How close was district/consortium in meeting the target? |
|-----------------------------------------------------|---------------------------------|----------------------------------------------------------------------|
| Academic Achievement (Status)                       |                                 |                                                                      |
|                                                     |                                 |                                                                      |
| Academic Growth                                     |                                 |                                                                      |
|                                                     |                                 |                                                                      |
| Academic Growth Gaps                                |                                 |                                                                      |
|                                                     |                                 |                                                                      |
| Post Secondary Readiness                            |                                 |                                                                      |
|                                                     |                                 |                                                                      |
| English Language Development and Attainment (AMAOs) |                                 |                                                                      |
|                                                     |                                 |                                                                      |
| Teacher Qualifications (HQT)                        |                                 |                                                                      |

**Worksheet: Data Analysis**

**Directions:** This chart supports planning teams in recording and organizing observations about district-level data for the required data narrative. Planning teams should describe positive and negative trends for all of the four performance indicators using at least three years of data. Prioritize the performance challenges that the district/consortium will focus its efforts on improving. The root cause analysis and improvement planning efforts in the remainder of the plan will be aimed at addressing the identified priority performance challenge(s). A limited number of priority performance challenges is recommended. At a minimum, priority performance challenges must be identified in any of the four performance indicator areas where minimum state and federal expectations were not met for accountability purposes. Consider observations recorded in the "last year's targets" worksheet. Provide a brief description of the root cause analysis for any priority performance challenges. You may add rows, as necessary.

| Performance Indicators                                                        | Description of Trends<br>(3 years of past data) | Priority Performance<br>Challenges | Root Causes |
|-------------------------------------------------------------------------------|-------------------------------------------------|------------------------------------|-------------|
| Academic Achievement (Status)                                                 |                                                 |                                    |             |
| Academic Growth                                                               |                                                 |                                    |             |
| Academic Growth Gaps                                                          |                                                 |                                    |             |
| Post Secondary/Workforce<br>Readiness                                         |                                                 |                                    |             |
| Student Graduation and<br>Completion Plan (Designated<br>Graduation District) |                                                 |                                    |             |
| English Language Development<br>and Attainment (AMAOs)                        |                                                 |                                    |             |
| Teacher Qualifications (Highly<br>Qualified Teachers)                         |                                                 |                                    |             |

### Data Narrative for District/Consortium

**Directions:** Describe the process and results of the data analysis for the district/consortium, including review of prior years' targets, trends, priority performance challenges and root cause analysis. This analysis should be tightly linked to section IV; targets and action planning should be aimed at addressing the priority performance challenges and root causes identified in this section. The narrative should not take more than five pages.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                     |                                                                                                                             |                                                                                     |                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <b>Trend Analysis and Performance Challenges:</b> What data did we use to identify trends? What are the positive and negative trends in our district's performance for each indicator area? Does this differ for any disaggregated student groups (e.g., by grade level or gender)? In which areas did we not at least meet minimum state and federal expectations? What performance challenges are the highest priorities for our district? How/why did we determine these to be our priorities? How did we engage stakeholders in this analysis? |  | <b>Root Cause Analysis:</b> Why do we think our district/consortium's performance is what it is? How did we determine that? |  | <b>Verification of Root Cause:</b> What evidence do we have for our conclusions? |
| Narrative:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |                                                                                                                             |                                                                                     |                                                                                  |

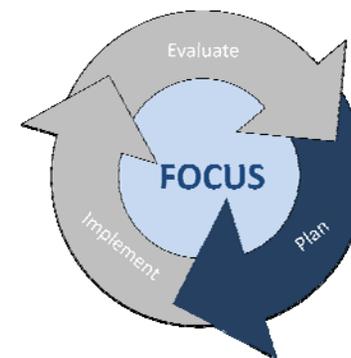
## Section IV: Action Plan(s)

This section focuses on the “plan” portion of the continuous improvement cycle. First you will identify your annual targets and the interim measures. This will be documented in the District/Consortium Goals Worksheet. Then you will move into the action plans, where you will use the action planning worksheet.

### District/Consortium Target Setting Form

**Directions:** Complete the worksheet below. While districts/consortia may set targets for all performance indicators, at a minimum, they must set targets for those priority performance challenges identified in Section III (e.g., by disaggregated student groups, grade levels, subject areas).

For federal accountability, annual targets for AYP have already been determined by the state and may be viewed on the CDE website at: [www.cde.state.co.us/FedPrograms/danda/aypprof.asp](http://www.cde.state.co.us/FedPrograms/danda/aypprof.asp). Safe Harbor and Matched Safe Harbor goals may be used instead of performance targets. For state accountability, districts/consortia are expected to set their own annual targets for academic achievement, academic growth, academic growth gaps and postsecondary and workforce readiness. Once annual performance targets are established, then the district/consortium must identify interim measures that will be used to monitor progress toward the annual targets at least quarterly during the school year. Finally, list the major improvement strategies that will enable the district/consortium to meet those targets. The major improvement strategies will be detailed in the Action Planning Form at the end of this section.



### District/Consortium Goals Worksheet

| Performance Indicators        | Measures/Metrics                                | Priority Performance Challenges | Annual Targets |         | Interim Measures for 2011-12 | Major Improvement Strategies |
|-------------------------------|-------------------------------------------------|---------------------------------|----------------|---------|------------------------------|------------------------------|
|                               |                                                 |                                 | 2011-12        | 2012-13 |                              |                              |
| Academic Achievement (Status) | CSAP, CSAPA, Lectura, Escritura                 | R                               |                |         |                              |                              |
|                               |                                                 | M                               |                |         |                              |                              |
|                               |                                                 | W                               |                |         |                              |                              |
|                               |                                                 | S                               |                |         |                              |                              |
| Academic Achievement (Status) | AYP (Overall and for each disaggregated groups) | R                               |                |         |                              |                              |
|                               |                                                 | M                               |                |         |                              |                              |

District/Consortium Goals Worksheet (cont.)

| Performance Indicators                    | Measures/ Metrics                | Priority Performance Challenges | Annual Targets                                                                         |                                                                                        | Interim Measures for 2011-12 | Major Improvement Strategies |
|-------------------------------------------|----------------------------------|---------------------------------|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------|------------------------------|
|                                           |                                  |                                 | 2011-12                                                                                | 2012-13                                                                                |                              |                              |
| Academic Growth                           | Median Student Growth Percentile | R                               |                                                                                        |                                                                                        |                              |                              |
|                                           |                                  | M                               |                                                                                        |                                                                                        |                              |                              |
|                                           |                                  | W                               |                                                                                        |                                                                                        |                              |                              |
| Academic Growth Gaps                      | Median Student Growth Percentile | R                               |                                                                                        |                                                                                        |                              |                              |
|                                           |                                  | M                               |                                                                                        |                                                                                        |                              |                              |
|                                           |                                  | W                               |                                                                                        |                                                                                        |                              |                              |
| Post Secondary/ Workforce Readiness       | Graduation Rate                  |                                 |                                                                                        |                                                                                        |                              |                              |
|                                           | Dropout Rate                     |                                 |                                                                                        |                                                                                        |                              |                              |
|                                           | Mean ACT                         |                                 |                                                                                        |                                                                                        |                              |                              |
| English Language Development & Attainment | CELA (AMAO 1)                    |                                 |                                                                                        |                                                                                        |                              |                              |
|                                           | CELA (AMAO 2)                    |                                 |                                                                                        |                                                                                        |                              |                              |
| Teacher Qualifications                    | Highly Qualified Teacher Data    |                                 | 100% of core content classes will be taught by teachers who meet NCLB HQ requirements. | 100% of core content classes will be taught by teachers who meet NCLB HQ requirements. |                              |                              |

**Action Planning Form**

**Directions:** Identify the major improvement strategy(s) that will address the root causes determined in Section III. For each major improvement strategy, identify the root cause(s) that the action steps will help to dissolve. Then, indicate which accountability provision or grant opportunity it will address. In the chart below, provide details about key action steps necessary to implement the major improvement strategy. Details should include the action steps that will be taken to implement the major improvement strategy, a general timeline, resources that will be used to implement the actions, and implementation benchmarks. Add rows in the chart, as needed. While space has been provided for three major improvement strategies, the district/consortium may add other major strategies, as needed.

**Major Improvement Strategy #1:** \_\_\_\_\_ **Root Cause(s) Addressed:** \_\_\_\_\_

**Accountability Provisions or Grant Opportunities Addressed by this Major Improvement Strategy** (check all that apply):

- State Accreditation    
  Title IA Program Improvement/Corrective Action Plan    
  Title IIA (2141c)    
  Title III (AMAOs)  
 Student Graduation and Completion Plan (Designated Graduation District)    
  Grant: \_\_\_\_\_

| Description of Action Steps to Implement the Major Improvement Strategy | Timeline | Key Personnel* | Resources<br>(Amount and Source: federal, state, and/or local) | Implementation Benchmarks | Status of Action Steps* (e.g., completed, in progress, not begun) |
|-------------------------------------------------------------------------|----------|----------------|----------------------------------------------------------------|---------------------------|-------------------------------------------------------------------|
|                                                                         |          |                |                                                                |                           |                                                                   |
|                                                                         |          |                |                                                                |                           |                                                                   |
|                                                                         |          |                |                                                                |                           |                                                                   |
|                                                                         |          |                |                                                                |                           |                                                                   |

\* Note: These two columns are not required to meet state or federal accountability requirements, although completion is recommended. "Status of Action Step" may be required for certain grants (e.g., Targeted District Improvement Grant).

Major Improvement Strategy #2: \_\_\_\_\_

Root Cause(s) Addressed: \_\_\_\_\_

**Accountability Provisions or Grant Opportunities Addressed by this Major Improvement Strategy** (check all that apply):

- State Accreditation     
  Title IA Program Improvement/Corrective Action Plan     
  Title IIA (2141c)     
  Title III (AMAOs)  
 Student Graduation and Completion Plan (Designated Graduation District)     
  Grant: \_\_\_\_\_

| Description of Action Steps to Implement the Major Improvement Strategy | Timeline | Key Personnel* | Resources<br>(Amount and Source: federal, state, and/or local) | Implementation Benchmarks | Status of Action Steps* (e.g., completed, in progress, not begun) |
|-------------------------------------------------------------------------|----------|----------------|----------------------------------------------------------------|---------------------------|-------------------------------------------------------------------|
|                                                                         |          |                |                                                                |                           |                                                                   |
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\* Note: These two columns are not required to meet state or federal accountability requirements, although completion is recommended. "Status of Action Step" may be required for certain grants (e.g., Targeted District Improvement Grant).

Major Improvement Strategy #3: \_\_\_\_\_

Root Cause(s) Addressed: \_\_\_\_\_

Accountability Provisions or Grant Opportunities Addressed by this Major Improvement Strategy (check all that apply):

- State Accreditation    
  Title IA Program Improvement/Corrective Action Plan    
  Title IIA (2141c)    
  Title III (AMAOs)  
 Student Graduation and Completion Plan (Designated Graduation District)    
  Grant: \_\_\_\_\_

| Description of Action Steps to Implement the Major Improvement Strategy | Timeline | Key Personnel* | Resources<br>(Amount and Source: federal, state, and/or local) | Implementation Benchmarks | Status of Action Steps* (e.g., completed, in progress, not begun) |
|-------------------------------------------------------------------------|----------|----------------|----------------------------------------------------------------|---------------------------|-------------------------------------------------------------------|
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\* Note: These two columns are not required to meet state or federal accountability requirements, although completion is recommended. "Status of Action Step" may be required for certain grants (e.g., Targeted District Improvement Grant).

## Section V: Appendices

Districts may add additional documentation to meet their unique needs. In particular, optional forms are available to supplement the improvement plan for districts to ensure that the requirements for the following have been fully met:

- Title I Improvement, Corrective Action or Restructuring
- Title IIA 2141c proposed budget for 2012-13 (form is required if district is identified under 2141c)
- Title III Improvement
- Additional Requirements for Turnaround Status Under State Accountability
- Competitive School Grants (e.g., Targeted District Improvement Grant, School Counselor Corp Grant)
- Updates to Practices Assessment (Student Graduation and Completion Plans/Designated Graduation Districts)

Appendix 6 - SB-191 Legislation      NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the history, or the Session Laws.



SENATE BILL 10-191

BY SENATOR(S) Johnston and Spence, Foster, Gibbs, Hodge, King K., Kopp, Newell, Penry, Romer, Scheffel, Brophy, Cadman, Harvey, Lundberg, Mitchell, Renfroe, Schultheis, White, Kester;  
also REPRESENTATIVE(S) Scanlan and Murray, Carroll T., Gerou, Massey, Rice, Summers, Gardner B., Kerr J., Lambert, May, Middleton, Nikkel, Stephens, Swalm.

CONCERNING ENSURING QUALITY INSTRUCTION THROUGH EDUCATOR EFFECTIVENESS (EQUITEE).

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

**SECTION 1.** 22-9-102, Colorado Revised Statutes, is amended to read:

**22-9-102. Legislative declaration.** (1) The general assembly hereby declares that:

(a) A system of ~~performance evaluation~~ <sup>TO EVALUATE THE EFFECTIVENESS OF LICENSED PERSONNEL</sup> is crucial to improving the quality of education in this state and declares that such a system shall be applicable to all licensed personnel in the school districts and boards of cooperative services throughout the state; AND

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(b) The purposes of the evaluation shall be to:

(I) Serve as a basis for the improvement of instruction;

(II) ~~to~~ Enhance the implementation of programs of curriculum;

(III) ~~to~~ Serve as a measurement of the professional growth and development of licensed personnel;

(IV) ~~and to~~ Evaluate the level of performance BASED ON THE EFFECTIVENESS of licensed personnel; AND

(V) PROVIDE A BASIS FOR MAKING DECISIONS IN THE AREAS OF HIRING, COMPENSATION, PROMOTION, ASSIGNMENT, PROFESSIONAL DEVELOPMENT, EARNING AND RETAINING NONPROBATIONARY STATUS, DISMISSAL, AND NONRENEWAL OF CONTRACT.

(2) The general assembly further declares that a professionally sound and credible system ~~of TO EVALUATE THE EFFECTIVENESS OF~~ licensed personnel ~~performance evaluation~~ shall be designed with the involvement of licensed personnel and citizens of the school district or board of cooperative services.

(3) THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE INVOLVEMENT AND SUPPORT OF PARENTS OF CHILDREN IN PUBLIC SCHOOLS, ACTING AS PARTNERS WITH TEACHERS AND PUBLIC SCHOOL ADMINISTRATORS, ARE KEY TO THE EDUCATIONAL PROGRESS OF THEIR CHILDREN.

**SECTION 2.** 22-9-103, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

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

(1.1) "COUNCIL" MEANS THE STATE COUNCIL FOR EDUCATOR EFFECTIVENESS ESTABLISHED PURSUANT TO SECTION 22-9-105.5.

(1.4) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION

CREATED PURSUANT TO SECTION 24-1-115, C.R.S.

(2.5) "PERFORMANCE STANDARDS" MEANS THE LEVELS OF EFFECTIVENESS ESTABLISHED BY RULE OF THE STATE BOARD PURSUANT TO SECTION 22-9-105.5 (10).

(2.6) "PRINCIPAL" MEANS A PERSON WHO IS EMPLOYED AS THE CHIEF EXECUTIVE OFFICER OR AN ASSISTANT CHIEF EXECUTIVE OFFICER OF A SCHOOL IN THE STATE AND WHO ADMINISTERS, DIRECTS, OR SUPERVISES THE EDUCATION PROGRAM IN THE SCHOOL.

(2.7) "QUALITY STANDARDS" MEANS THE ELEMENTS AND CRITERIA ESTABLISHED TO MEASURE EFFECTIVENESS AS ESTABLISHED BY RULE OF THE STATE BOARD PURSUANT TO SECTION 22-9-105.5 (10).

(3.5) "PRINCIPAL DEVELOPMENT PLAN" MEANS A WRITTEN AGREEMENT DEVELOPED BY A PRINCIPAL AND DISTRICT ADMINISTRATION THAT OUTLINES THE STEPS TO BE TAKEN TO IMPROVE THE PRINCIPAL'S EFFECTIVENESS. THE PRINCIPAL DEVELOPMENT PLAN SHALL INCLUDE PROFESSIONAL DEVELOPMENT OPPORTUNITIES.

(5) "TEACHER DEVELOPMENT PLAN" MEANS A WRITTEN AGREEMENT MUTUALLY DEVELOPED BY A TEACHER AND HIS OR HER PRINCIPAL THAT OUTLINES THE STEPS TO BE TAKEN TO IMPROVE THE TEACHER'S EFFECTIVENESS. THE TEACHER DEVELOPMENT PLAN MAY INCLUDE BUT NEED NOT BE LIMITED TO CONSIDERATION OF INDUCTION AND MENTORSHIP PROGRAMS, USE OF HIGHLY EFFECTIVE TEACHERS AS INSTRUCTIONAL LEADERS OR COACHES, AND APPROPRIATE PROFESSIONAL DEVELOPMENT ACTIVITIES.

(6) "TEACHER" MEANS A PERSON WHO HOLDS AN ALTERNATIVE, INITIAL, OR PROFESSIONAL TEACHER LICENSE ISSUED PURSUANT TO THE PROVISIONS OF ARTICLE 60.5 OF THIS TITLE AND WHO IS EMPLOYED BY A SCHOOL DISTRICT OR A CHARTER SCHOOL IN THE STATE TO INSTRUCT, DIRECT, OR SUPERVISE AN EDUCATION PROGRAM.

**SECTION 3.** 22-9-104 (2) (c) and (2) (d), Colorado Revised Statutes, are amended, and the said 22-9-104 (2) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**22-9-104. State board - powers and duties - rules.** (2) The state board shall:

(c) ~~Consult with the state licensed personnel performance evaluation council created in section 22-9-105 with regard to the guidelines relating to~~ PURSUANT TO SECTION 22-9-105.5, WORK WITH THE COUNCIL TO PROMULGATE RULES CONCERNING the planning, development, implementation, and assessment of A SYSTEM TO EVALUATE THE EFFECTIVENESS OF licensed personnel; ~~performance evaluation systems; and~~

(d) Review school district and board of cooperative services processes and procedures for licensed personnel performance evaluation systems to assure that such systems are professionally sound; ~~and will result in a fair, adequate, and credible evaluation; AND WILL SATISFY QUALITY STANDARDS IN A MANNER THAT IS APPROPRIATE TO THE SIZE, DEMOGRAPHICS, AND LOCATION OF THE SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES, AND THAT IS CONSISTENT WITH THE PURPOSES OF THIS ARTICLE; AND~~

(f) (I) ON OR BEFORE SEPTEMBER 1, 2011, THE STATE BOARD, PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., SHALL PROMULGATE RULES WITH REGARD TO THE ISSUES SPECIFIED IN SECTION 22-9-105.5 (10) USING THE RECOMMENDATIONS FROM THE COUNCIL. IF THE COUNCIL FAILS TO MAKE RECOMMENDATIONS TO THE STATE BOARD BY MARCH 1, 2011, WITH REGARD TO ONE OR MORE OF THE ISSUES SPECIFIED IN SECTION 22-9-105.5 (10), THE STATE BOARD, ON OR BEFORE SEPTEMBER 1, 2011, SHALL PROMULGATE RULES CONCERNING ANY ISSUES IN SECTION 22-9-105.5 (10) THAT THE COUNCIL DID NOT ADDRESS. IN PROMULGATING RULES PURSUANT TO THIS PARAGRAPH (f), THE STATE BOARD SHALL CONFORM TO THE TIMELINE SET FORTH IN SECTION 22-9-105.5.

(II) ON OR BEFORE FEBRUARY 15, 2012, THE GENERAL ASSEMBLY SHALL REVIEW THE RULES PROMULGATED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (f), IN A BILL THAT IS SEPARATE FROM THE ANNUAL RULE REVIEW BILL INTRODUCED PURSUANT TO SECTION 24-4-103 (8) (d), C.R.S., AND IN ACCORDANCE WITH THE CRITERIA AND PROCEDURES SPECIFIED IN SECTION 24-4-103 (8) (a) AND (8) (d), C.R.S.; EXCEPT THAT THE GENERAL ASSEMBLY RESERVES THE RIGHT TO REPEAL INDIVIDUAL RULES IN THE RULES PROMULGATED BY THE STATE BOARD. IF ONE OR MORE RULES ARE NOT APPROVED BY THE GENERAL ASSEMBLY PURSUANT TO THIS

SUBPARAGRAPH (II), THE STATE BOARD SHALL PROMULGATE EMERGENCY RULES PURSUANT TO SECTION 24-4-103 (6), C.R.S., ON SUCH ISSUE OR ISSUES AND RESUBMIT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 2012. THE GENERAL ASSEMBLY SHALL REVIEW THE EMERGENCY RULES PROMULGATED ACCORDING TO THE PROCESS OUTLINED IN THIS SUBPARAGRAPH (II).

**SECTION 4. Repeal.** 22-9-105, Colorado Revised Statutes, is repealed as follows:

**22-9-105. State licensed personnel performance evaluation council created - duties.** ~~(1) The state board shall appoint an advisory state licensed personnel performance evaluation council, which shall consist of the following members: Seven licensed personnel, each from a different school district, four of whom shall be teachers; three citizens, each from a different school district; a representative from an existing council whose members are deans of education; and one member from the department of education. The council shall elect its chair. No more than six members shall belong to any one political party.~~

~~(2) Said council shall meet regularly and shall report to the state board on the planning and development of and on the professional quality, credibility, implementation, and assessment of licensed personnel performance evaluation systems and their processes and procedures.~~

~~(3) (a) (I) Each school district and board of cooperative services shall submit to the state board or to the state licensed personnel performance evaluation council such information or data concerning said district's or board's licensed personnel performance evaluation system and its processes and procedures as may be requested by the state board or such council.~~

~~(H) Repealed:~~

~~(b) Repealed:~~

~~(4) Repealed:~~

**SECTION 5.** Article 9 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

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**22-9-105.5. State council for educator effectiveness - legislative declaration - membership - duties - recommendations - rules.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) ON JANUARY 13, 2010, THE GOVERNOR ESTABLISHED BY EXECUTIVE ORDER THE GOVERNOR'S COUNCIL FOR EDUCATOR EFFECTIVENESS;

(b) THE EXECUTIVE ORDER CHARGED THE COUNCIL WITH, AMONG OTHER DUTIES, CONSIDERING OPTIONS AND PROVIDING RECOMMENDATIONS CONCERNING EDUCATOR EFFECTIVENESS AND DEVELOPING RECOMMENDATIONS FOR DEFINITIONS OF PRINCIPAL AND TEACHER EFFECTIVENESS; AND

(c) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT IT IS IN THE BEST INTERESTS OF THE PEOPLE OF THE STATE OF COLORADO TO CODIFY IN STATUTE THE GOVERNOR'S COUNCIL FOR EDUCATOR EFFECTIVENESS BECAUSE OF THE SIGNIFICANT ADDITIONAL STATUTORY DUTIES AND RESPONSIBILITIES THAT THE GENERAL ASSEMBLY IS ASSIGNING TO SAID COUNCIL.

(2) (a) THERE IS HEREBY CREATED IN THE OFFICE OF THE GOVERNOR THE STATE COUNCIL FOR EDUCATOR EFFECTIVENESS, REFERRED TO IN THIS ARTICLE AS THE "COUNCIL".

(b) THE MEMBERS OF THE GOVERNOR'S COUNCIL FOR EDUCATOR EFFECTIVENESS, CREATED BY EXECUTIVE ORDER B 2010-001, SHALL SERVE ON THE COUNCIL, AS APPOINTED BY THE GOVERNOR, AND SHALL INCLUDE:

(I) THE COMMISSIONER OF EDUCATION, OR HIS OR HER DESIGNEE;

(II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION, OR HIS OR HER DESIGNEE;

(III) FOUR TEACHERS, SELECTED WITH THE ADVICE OF STATE ASSOCIATIONS THAT REPRESENT EDUCATORS;

(IV) TWO PUBLIC SCHOOL ADMINISTRATORS AND ONE LOCAL SCHOOL DISTRICT SUPERINTENDENT, EACH SELECTED WITH THE ADVICE OF A STATE ASSOCIATION THAT REPRESENTS SCHOOL EXECUTIVES;

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(V) TWO MEMBERS OF LOCAL SCHOOL BOARDS, SELECTED WITH THE ADVICE OF A STATE ASSOCIATION THAT REPRESENTS SCHOOL BOARDS;

(VI) ONE CHARTER SCHOOL ADMINISTRATOR OR TEACHER, SELECTED WITH THE ADVICE OF A STATE ADVOCACY GROUP FOR CHARTER SCHOOLS;

(VII) ONE PARENT OF A PUBLIC SCHOOL STUDENT, SELECTED WITH THE ADVICE OF A STATE PARENT AND TEACHERS ASSOCIATION;

(VIII) A CURRENT STUDENT OR RECENT GRADUATE OF A COLORADO PUBLIC SCHOOL, SELECTED WITH THE ADVICE OF A STATEWIDE STUDENT COALITION; AND

(IX) ONE AT-LARGE MEMBER WITH EXPERTISE IN EDUCATION POLICY.

(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 FIFTY PERCENT OF WHICH EVALUATION IS DETERMINED BY THE ACADEMIC GROWTH OF THEIR STUDENTS;

(II) AFFORDED A MEANINGFUL OPPORTUNITY TO IMPROVE THEIR EFFECTIVENESS; AND

(III) PROVIDED THE MEANS TO SHARE EFFECTIVE PRACTICES WITH OTHER EDUCATORS THROUGHOUT THE STATE.

(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 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.

(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.

(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.

(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;

(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.

(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;

(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.

(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;

(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;

(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;

(i) ON OR BEFORE JULY 1, 2013, AND JULY 1 EACH YEAR THEREAFTER DURING THE IMPLEMENTATION OF THE PERFORMANCE EVALUATION SYSTEM, THE DEPARTMENT SHALL REPORT TO THE COUNCIL THE RESULTS OF THE IMPLEMENTATION AND TESTING OF THE PERFORMANCE EVALUATION SYSTEM. BASED ON THE RESULTS OF THE REPORTS, THE COUNCIL MAY MAKE ADDITIONAL RECOMMENDATIONS TO BE INCORPORATED IN THE FOLLOWING STAGE OF IMPLEMENTATION.

(j) THE COUNCIL SHALL DEVELOP AN IMPLEMENTATION PLAN FOR ITS RECOMMENDATIONS AND WILL IDENTIFY TASKS AND THE ASSOCIATED COSTS AT THE STATE AND DISTRICT LEVELS. THE RECOMMENDATIONS SHALL INCLUDE AN IMPLEMENTATION COST ANALYSIS, INCLUDING ASSESSMENT CHANGES, ASSESSMENT PILOT STUDY, STAFF TRAINING, RESEARCH, DATA REVIEW, AND ANY OTHER TASKS INCLUDED IN THE COUNCIL'S RECOMMENDATIONS. IT IS INCUMBENT ON THE COUNCIL TO CONSULT WITH THE DEPARTMENT AND EXPERT PRACTITIONERS FAMILIAR WITH SCHOOL FINANCE AND TO REPORT BY MARCH 1, 2011, ON THE COSTS TO IMPLEMENT THE COUNCIL'S RECOMMENDATIONS.

(3.5) THE RECOMMENDATIONS MADE BY THE COUNCIL TO THE STATE BOARD PURSUANT TO THIS SECTION SHALL REFLECT A CONSENSUS VOTE. FOR ANY ISSUE THAT THE COUNCIL WAS UNABLE TO REACH A CONSENSUS, THE COUNCIL SHALL PROVIDE TO THE STATE BOARD THE REASONS IT WAS UNABLE TO REACH A CONSENSUS.

(4) THE COUNCIL'S RECOMMENDATIONS SHALL CONSIST, AT A MINIMUM, OF RECOMMENDATIONS THAT ARE APPLICABLE TO SCHOOL PRINCIPALS AND TEACHERS.

(5) THE COUNCIL'S RECOMMENDATIONS MAY INCLUDE CHANGES TO EXISTING STATUTES OR RULES, IF APPROPRIATE, AS WELL AS RECOMMENDATIONS FOR LOCAL IMPLEMENTATION.

(6) IN MAKING ITS RECOMMENDATIONS, THE COUNCIL SHALL INCLUDE THE EFFECT OF DISTRICT- AND SCHOOL-LEVEL CONDITIONS, AS MEASURED BY THE NINE PERFORMANCE STANDARDS SET FORTH IN THE COMPREHENSIVE APPRAISAL FOR THE DISTRICT IMPROVEMENT RUBRIC AND

BIANNUAL TEACHING, EMPOWERING, LEADING, AND LEARNING INITIATIVE SURVEY OF SCHOOL WORKING CONDITIONS, AS WELL AS ANY ADDITIONAL METHODS OF ASSESSING SUCH CONDITIONS IDENTIFIED BY THE COUNCIL AS VALID, TRANSPARENT, AND RELIABLE.

(7) THE COUNCIL MAY ESTABLISH WORKING GROUPS, TASK FORCES, OR OTHER STRUCTURES FROM WITHIN ITS MEMBERSHIP OR OUTSIDE ITS MEMBERSHIP AS NEEDED TO ADDRESS SPECIFIC ISSUES OR TO ASSIST IN ITS WORK.

(8) ALL RECOMMENDATIONS MADE BY THE COUNCIL PURSUANT TO THIS SECTION SHALL REFLECT A CONSENSUS OF ITS MEMBERS.

(9) UNLESS OTHERWISE PROVIDED FOR, THE OFFICE OF THE GOVERNOR AND THE DEPARTMENT SHALL PROVIDE THE COUNCIL WITH THE SUPPORT, INFORMATION, DATA, ANALYTICAL INFORMATION, AND ADMINISTRATIVE SUPPORT NECESSARY TO DO ITS WORK.

(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 THIS SECTION, USING THE RECOMMENDATIONS FROM THE COUNCIL. 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 THIS SECTION, 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. IN PROMULGATING RULES PURSUANT TO THIS SUBSECTION (10), THE STATE BOARD SHALL CONFORM TO THE FOLLOWING TIMELINE:

(I) BEGINNING WITH THE 2011-2012 SCHOOL YEAR, THE DEPARTMENT SHALL WORK WITH SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE SERVICES TO ASSIST WITH THE DEVELOPMENT OF PERFORMANCE EVALUATION SYSTEMS THAT ARE BASED ON QUALITY STANDARDS.

(II) ON OR BEFORE JANUARY 15, 2012, THE STATE BOARD SHALL PROVIDE TO THE GENERAL ASSEMBLY THE RULES PROMULGATED PURSUANT TO THIS SUBSECTION (10). ON OR BEFORE FEBRUARY 15, 2012, THE GENERAL ASSEMBLY SHALL REVIEW AND APPROVE SUCH RULES AS PROVIDED

FOR IN PARAGRAPH (b) OF THIS SUBSECTION (10).

(III) BEGINNING WITH THE 2012-2013 SCHOOL YEAR, IF THE GENERAL ASSEMBLY APPROVES THE RULES PROMULGATED PURSUANT TO THIS SUBSECTION (10), THE NEW PERFORMANCE EVALUATION SYSTEM THAT IS BASED ON QUALITY STANDARDS SHALL BE IMPLEMENTED AND TESTED AS RECOMMENDED BY THE COUNCIL PURSUANT TO PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION.

(IV) (A) BEGINNING WITH THE 2013-2014 SCHOOL YEAR, IF THE GENERAL ASSEMBLY APPROVES THE RULES PROMULGATED PURSUANT TO THIS SUBSECTION (10), AND BASED ON THE RESULTS OF THE FIRST LEVEL OF IMPLEMENTATION IN THE 2012-2013 SCHOOL YEAR, THE NEW PERFORMANCE EVALUATION SYSTEM THAT IS BASED ON QUALITY STANDARDS SHALL BE IMPLEMENTED STATEWIDE IN A MANNER AS RECOMMENDED BY THE COUNCIL PURSUANT TO PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION.

(B) DURING THE 2013-14 SCHOOL YEAR, TEACHERS SHALL BE EVALUATED BASED ON QUALITY STANDARDS. DEMONSTRATED EFFECTIVENESS OR INEFFECTIVENESS SHALL BEGIN TO BE CONSIDERED IN THE ACQUISITION OF PROBATIONARY OR NONPROBATIONARY STATUS.

(V) (A) BEGINNING WITH THE 2014-2015 SCHOOL YEAR, IF THE GENERAL ASSEMBLY APPROVES THE RULES PROMULGATED PURSUANT TO THIS SUBSECTION (10), AND BASED ON THE RESULTS OF THE FIRST AND SECOND LEVELS OF IMPLEMENTATION IN THE 2012-2013 AND 2013-2014 SCHOOL YEARS, THE NEW PERFORMANCE EVALUATION SYSTEM THAT IS BASED ON QUALITY STANDARDS SHALL BE FINALIZED ON A STATEWIDE BASIS.

(B) DURING THE 2014-2015 SCHOOL YEAR, TEACHERS SHALL CONTINUE TO BE EVALUATED BASED ON QUALITY STANDARDS. DEMONSTRATED EFFECTIVENESS OR INEFFECTIVENESS SHALL BE CONSIDERED IN THE ACQUISITION OR LOSS OF PROBATIONARY OR NONPROBATIONARY STATUS.

(b) ON OR BEFORE FEBRUARY 15, 2012, THE GENERAL ASSEMBLY SHALL REVIEW THE RULES PROMULGATED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (10) IN A BILL THAT IS SEPARATE FROM THE ANNUAL RULE REVIEW BILL INTRODUCED PURSUANT TO SECTION 24-4-103 (8) (d), C.R.S., AND IN ACCORDANCE WITH THE CRITERIA AND PROCEDURES SPECIFIED IN

SECTION 24-4-103 (8) (a) AND (8) (d), C.R.S.; EXCEPT THAT THE GENERAL ASSEMBLY RESERVES THE RIGHT TO REPEAL INDIVIDUAL RULES CONTAINED IN THE RULES PROMULGATED BY THE STATE BOARD. IF ONE OR MORE RULES IS NOT APPROVED BY THE GENERAL ASSEMBLY PURSUANT TO THIS PARAGRAPH (b), THE STATE BOARD SHALL PROMULGATE EMERGENCY RULES PURSUANT TO SECTION 24-4-103 (6), C.R.S., ON SUCH ISSUE OR ISSUES AND RESUBMIT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 2012. THE GENERAL ASSEMBLY SHALL REVIEW THE EMERGENCY RULES PROMULGATED ACCORDING TO THE PROCESS OUTLINED IN THIS PARAGRAPH (b).

(11) ON OR BEFORE NOVEMBER 1, 2011, THE DEPARTMENT SHALL CREATE AND MAKE AVAILABLE TO SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE SERVICES A RESOURCE BANK THAT IDENTIFIES ASSESSMENTS, PROCESSES, TOOLS, AND POLICIES THAT A SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES MAY USE TO DEVELOP AN EVALUATION SYSTEM THAT ADDRESSES THE PROVISIONS OF THIS SECTION. THE DEPARTMENT SHALL INCLUDE RESOURCES THAT ARE APPROPRIATE TO SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE SERVICES OF DIFFERENT SIZES, DEMOGRAPHICS, AND LOCATIONS. THE DEPARTMENT SHALL UPDATE THE RESOURCE BANK AT LEAST ANNUALLY TO REFLECT NEW RESEARCH AND ONGOING EXPERIENCE IN COLORADO.

(12) THE DEPARTMENT SHALL NOT BE OBLIGATED TO IMPLEMENT THE PROVISIONS OF THIS SECTION UNTIL SUFFICIENT FUNDS HAVE BEEN RECEIVED AND CREDITED TO THE GREAT TEACHERS AND LEADERS FUND, CREATED IN SECTION 22-9-105.7. THE DEPARTMENT IS HEREBY AUTHORIZED TO HIRE ANY EMPLOYEES NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION. ANY NEW POSITIONS CREATED PURSUANT TO THIS SECTION SHALL BE SUBJECT TO THE AVAILABILITY OF FUNDING AND SHALL BE ELIMINATED AT SUCH TIME AS MONEYS ARE NO LONGER AVAILABLE IN THE GREAT TEACHERS AND LEADERS FUND. ALL POSITION DESCRIPTIONS AND NOTICE TO HIRE FOR POSITIONS CREATED PURSUANT TO THIS SECTION SHALL CLEARLY STATE THAT SUCH POSITION IS SUBJECT TO AVAILABLE FUNDING.

**SECTION 6.** Article 9 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-9-105.7. Great teachers and leaders fund - created - gifts, grants, and donations.** (1) THE DEPARTMENT IS AUTHORIZED TO SEEK, ACCEPT, AND EXPEND FEDERAL GRANTS FOR THE IMPLEMENTATION OF

SECTION 22-9-105.5; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION EXCEPT FROM FEDERAL MONEYS THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS OR ANY LAW OF THE STATE. THE DEPARTMENT SHALL TRANSMIT ALL FEDERAL MONEYS RECEIVED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE GREAT TEACHERS AND LEADERS FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND". MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING SECTION 22-9-105.5.

(2) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSES OF SECTION 22-9-105.5 MAY BE INVESTED BY THE STATE TREASURER, AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(3) FOR FISCAL YEARS 2010-2011 AND 2011-2012, IF TWO HUNDRED FIFTY THOUSAND DOLLARS IS NOT CREDITED TO THE FUND THROUGH FEDERAL GRANTS ON OR BEFORE SEPTEMBER 30, 2010, THE COMMISSIONER SHALL NOTIFY THE STATE TREASURER OF THE DIFFERENCE. AS PROVIDED FOR IN SECTION 22-54-117 (1) (g), UPON RECEIPT OF SUCH NOTICE, THE STATE TREASURER SHALL TRANSFER TO THE FUND THE AMOUNT OF THE DIFFERENCE OUT OF THE CONTINGENCY RESERVE FUND, CREATED PURSUANT TO SECTION 22-54-117 FOR THE IMPLEMENTATION OF SECTION 22-9-105.5. IF THERE IS AN INSUFFICIENT AMOUNT IN THE CONTINGENCY RESERVE FUND, THE STATE TREASURER SHALL TRANSFER TO THE FUND ANY REMAINING AMOUNT OF THE DIFFERENCE FROM THE STATE EDUCATION FUND, CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION FOR THE IMPLEMENTATION OF SECTION 22-9-105.5.

(4) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO REQUIRE THE DEPARTMENT TO SOLICIT GIFTS, GRANTS, OR DONATIONS FOR THE FUND.

**SECTION 7.** The introductory portion to 22-9-106 (1) and 22-9-106 (1) (c), (1) (d) (V), (1) (e), (2.5), (3.3), (3.5), (4) (a), and (4.5), Colorado Revised Statutes, are amended, and the said 22-9-106 is further amended BY THE ADDITION OF THE FOLLOWING NEW

SUBSECTIONS, to read:

**22-9-106. Local boards of education - duties - performance evaluation system - repeal.** (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 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 ~~shall~~ NEED not be limited to, the following information:

(c) The frequency and duration of the evaluations, which shall be on a regular basis and of such frequency and duration as to ensure the collection of a sufficient amount of data from which reliable conclusions and findings may be drawn. At a minimum, the performance evaluation system shall ensure that:

(I) Probationary teachers receive at least two documented observations and one evaluation that results in a written evaluation report pursuant to subsection (3) of this section each academic year. PROBATIONARY TEACHERS SHALL RECEIVE THE WRITTEN EVALUATION REPORT AT LEAST TWO WEEKS BEFORE THE LAST CLASS DAY OF THE SCHOOL YEAR.

(II) Nonprobationary teachers receive at least one observation each year and one evaluation that results in a written evaluation report pursuant to subsection (3) of this section every three years; EXCEPT THAT, BEGINNING WITH THE 2012-13 ACADEMIC YEAR, NONPROBATIONARY TEACHERS SHALL RECEIVE A WRITTEN EVALUATION REPORT PURSUANT TO SUBSECTION (3) OF

THIS SECTION EACH ACADEMIC YEAR ACCORDING TO THE PERFORMANCE STANDARDS ESTABLISHED BY RULE OF THE STATE BOARD AND ADOPTED BY THE GENERAL ASSEMBLY PURSUANT TO SECTION 22-9-105.5. NONPROBATIONARY TEACHERS SHALL RECEIVE THE WRITTEN EVALUATION REPORT AT LEAST TWO WEEKS BEFORE THE LAST CLASS DAY OF THE SCHOOL YEAR.

~~(III) Principals who are in their first three years of employment as principals~~ SHALL receive one evaluation that results in a written evaluation report pursuant to subsection (3) of this section each academic year ~~and~~ ACCORDING TO THE PERFORMANCE STANDARDS ESTABLISHED BY RULE OF THE STATE BOARD AND ADOPTED BY THE GENERAL ASSEMBLY PURSUANT TO SECTION 22-9-105.5.

~~(IV) Principals who are in their fourth or subsequent years of employment as principals receive at least one evaluation that results in a written evaluation report pursuant to subsection (3) of this section every three academic years.~~

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

(V) (A) Measuring the level of performance of all licensed personnel within the school district or employed by a board of cooperative services. THIS SUB-SUBPARAGRAPH (A) IS REPEALED, EFFECTIVE 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.

(B) MEASURING THE LEVEL OF EFFECTIVENESS OF ALL LICENSED PERSONNEL WITHIN THE SCHOOL DISTRICT. THIS SUB-SUBPARAGRAPH (B) 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.

(e) (I) The standards set by the local board for satisfactory 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 performance shall be directly related to classroom instruction and shall include multiple measures of student performance. 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 (I) IS REPEALED 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.

(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 FIFTY PERCENT OF THE EVALUATION 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 DEFINED IN SECTION 22-7-604.5 (1.5). 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.

(2.5) (a) The council shall actively participate with the local board or board of cooperative services in developing written standards for evaluation that clearly specify satisfactory performance and the criteria to be used to determine whether the performance of each licensed person meets such standards pursuant to paragraph (e) of subsection (1) of this section. THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE 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.

(b) THE COUNCIL SHALL ACTIVELY PARTICIPATE WITH THE LOCAL BOARD IN DEVELOPING WRITTEN STANDARDS FOR EVALUATION THAT CLEARLY SPECIFY PERFORMANCE STANDARDS AND THE QUALITY STANDARDS AND THE CRITERIA TO BE USED TO DETERMINE WHETHER THE PERFORMANCE OF EACH LICENSED PERSON MEETS SUCH STANDARDS PURSUANT TO PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION. THIS PARAGRAPH (b) 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.

(3.3) Each principal or administrator who is responsible for evaluating licensed personnel shall keep records and documentation for each evaluation conducted. Each principal and administrator who is responsible for evaluating licensed personnel shall be evaluated as to how well he or she carries out the evaluation responsibilities under the COMPLIES WITH THIS SECTION AND WITH THE school district's evaluation system.

(3.5) (a) A teacher or principal whose performance is deemed to be unsatisfactory pursuant to paragraph (e) of subsection (1) of this section shall be given notice of deficiencies. A remediation plan to correct said THE deficiencies shall be developed by the district or the board of cooperative services and the teacher or principal AND SHALL INCLUDE PROFESSIONAL DEVELOPMENT OPPORTUNITIES THAT ARE INTENDED TO HELP THE TEACHER OR PRINCIPAL TO ACHIEVE AN EFFECTIVE RATING IN HIS OR HER NEXT PERFORMANCE EVALUATION. The teacher or principal shall be given a reasonable period of time to remediate the deficiencies and shall receive a statement of the resources and assistance available for the purposes of correcting the performance or the deficiencies. THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE 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.

(b) (I) A TEACHER OR PRINCIPAL WHOSE PERFORMANCE IS DEEMED TO BE INEFFECTIVE PURSUANT TO PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION SHALL RECEIVE WRITTEN NOTICE THAT HIS OR HER PERFORMANCE EVALUATION SHOWS A RATING OF INEFFECTIVE, A COPY OF THE DOCUMENTATION RELIED UPON IN MEASURING HIS OR HER PERFORMANCE, AND IDENTIFICATION OF DEFICIENCIES.

(II) EACH SCHOOL DISTRICT SHALL ENSURE THAT A NONPROBATIONARY TEACHER WHO OBJECTS TO A RATING OF INEFFECTIVENESS HAS AN OPPORTUNITY TO APPEAL THAT RATING, IN ACCORDANCE WITH A FAIR AND TRANSPARENT PROCESS DEVELOPED, WHERE APPLICABLE, THROUGH COLLECTIVE BARGAINING. AT A MINIMUM, THE APPEAL PROCESS PROVIDED SHALL ALLOW A NONPROBATIONARY TEACHER TO APPEAL THE RATING OF INEFFECTIVENESS TO THE SUPERINTENDENT OR HIS OR HER DESIGNEE OF THE SCHOOL DISTRICT AND SHALL PLACE THE BURDEN UPON THE NONPROBATIONARY TEACHER TO DEMONSTRATE THAT A RATING OF EFFECTIVENESS WAS APPROPRIATE. IF THERE IS NO COLLECTIVE BARGAINING AGREEMENT IN PLACE, FOLLOWING THE RULING OF THE SUPERINTENDENT OR HIS OR HER DESIGNEE, THE APPEALING TEACHER MAY REQUEST A REVIEW BY A MUTUALLY AGREED-UPON THIRD PARTY. THE DECISION OF THE THIRD PARTY SHALL REVIEW WHETHER THE DECISION WAS ARBITRARY OR CAPRICIOUS AND SHALL BE BINDING ON BOTH PARTIES. THE COST OF ANY SUCH REVIEW SHALL BE BORNE EQUALLY BY BOTH PARTIES. WHERE A COLLECTIVE BARGAINING AGREEMENT IS IN PLACE, EITHER PARTY MAY CHOOSE TO OPT INTO THIS PROCESS. THE SUPERINTENDENT'S DESIGNEE SHALL NOT BE THE PRINCIPAL WHO CONDUCTED THE EVALUATION. FOR A NONPROBATIONARY TEACHER, A REMEDIATION PLAN TO CORRECT THE DEFICIENCIES SHALL BE DEVELOPED BY THE DISTRICT OR THE BOARD OF COOPERATIVE SERVICES AND SHALL INCLUDE PROFESSIONAL DEVELOPMENT OPPORTUNITIES THAT ARE INTENDED TO HELP THE NONPROBATIONARY TEACHER TO ACHIEVE AN EFFECTIVE RATING IN HIS OR HER NEXT PERFORMANCE EVALUATION. THE NONPROBATIONARY TEACHER SHALL BE GIVEN A REASONABLE PERIOD OF TIME TO REMEDIATE THE DEFICIENCIES AND SHALL RECEIVE A STATEMENT OF THE RESOURCES AND ASSISTANCE AVAILABLE FOR THE PURPOSE OF IMPROVING EFFECTIVENESS.

(III) THIS PARAGRAPH (b) 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.

(IV) SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) IS REPEALED,

EFFECTIVE FEBRUARY 15, 2013.

(4) (a) Except as provided in paragraph (b) of this subsection (4), no person shall be responsible for the evaluation of licensed personnel unless ~~such~~ THE person has a principal or administrator license issued pursuant to article 60.5 of this title OR IS A DESIGNEE OF A PERSON WITH A PRINCIPAL OR ADMINISTRATOR LICENSE and has received education and training in evaluation skills approved by the department of education that will enable him or her to make fair, professional, and credible evaluations of the personnel whom he or she is responsible for evaluating. No person shall be issued a principal or administrator license or have a principal or administrator license renewed unless the state board determines that such person has received education and training approved by the department of education.

(4.5) (a) Any person whose performance evaluation includes a remediation plan shall be given an opportunity to improve his or her performance through the implementation of the plan. If the next performance evaluation shows that the person is performing satisfactorily, no further action shall be taken concerning the original performance evaluation. If ~~such~~ THE evaluation shows the person is still not performing satisfactorily, the evaluator shall either make additional recommendations for improvement or may recommend the dismissal of the person, which dismissal shall be in accordance with the provisions of article 63 of this title if the person is a teacher. THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE 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.

(b) ANY PERSON WHOSE PERFORMANCE EVALUATION INCLUDES A REMEDIATION PLAN SHALL BE GIVEN AN OPPORTUNITY TO IMPROVE HIS OR HER EFFECTIVENESS THROUGH THE IMPLEMENTATION OF THE PLAN. IF THE NEXT PERFORMANCE EVALUATION SHOWS THAT THE PERSON IS PERFORMING EFFECTIVELY, NO FURTHER ACTION SHALL BE TAKEN CONCERNING THE ORIGINAL PERFORMANCE EVALUATION. IF THE EVALUATION SHOWS THE

PERSON IS STILL NOT PERFORMING EFFECTIVELY, HE OR SHE SHALL RECEIVE WRITTEN NOTICE THAT HIS OR HER PERFORMANCE EVALUATION SHOWS A RATING OF INEFFECTIVE, A COPY OF THE DOCUMENTATION RELIED UPON IN MEASURING THE PERSON'S PERFORMANCE, AND IDENTIFICATION OF DEFICIENCIES. EACH SCHOOL DISTRICT SHALL ENSURE THAT A NONPROBATIONARY TEACHER WHO OBJECTS TO A RATING OF INEFFECTIVENESS HAS AN OPPORTUNITY TO APPEAL THAT RATING, IN ACCORDANCE WITH A FAIR AND TRANSPARENT PROCESS DEVELOPED, WHERE APPLICABLE, THROUGH COLLECTIVE BARGAINING. AT A MINIMUM, THE APPEAL PROCESS PROVIDED SHALL ALLOW A NONPROBATIONARY TEACHER TO APPEAL THE RATING OF INEFFECTIVENESS TO THE SUPERINTENDENT OF THE SCHOOL DISTRICT AND SHALL PLACE THE BURDEN UPON THE NONPROBATIONARY TEACHER TO DEMONSTRATE THAT A RATING OF EFFECTIVENESS WAS APPROPRIATE. THE APPEAL PROCESS SHALL TAKE NO LONGER THAN NINETY DAYS, AND THE NONPROBATIONARY TEACHER SHALL NOT BE SUBJECT TO A POSSIBLE LOSS OF NONPROBATIONARY STATUS UNTIL AFTER A FINAL DETERMINATION REGARDING THE RATING OF INEFFECTIVENESS IS MADE. FOR A PERSON WHO RECEIVES A PERFORMANCE RATING OF INEFFECTIVE, THE EVALUATOR SHALL EITHER MAKE ADDITIONAL RECOMMENDATIONS FOR IMPROVEMENT OR MAY RECOMMEND THE DISMISSAL OF THE PERSON, WHICH DISMISSAL SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 63 OF THIS TITLE IF THE PERSON IS A TEACHER. THIS PARAGRAPH (b) 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 FIFTY PERCENT OF THE EVALUATION 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:

(a) ACHIEVEMENT AND ACADEMIC GROWTH FOR THOSE STUDENTS ENROLLED IN THE PRINCIPAL'S SCHOOL, AS MEASURED BY THE COLORADO GROWTH MODEL SET FORTH IN SECTION 22-11-202;

(b) THE NUMBER AND PERCENTAGE OF LICENSED PERSONNEL IN THE PRINCIPAL'S SCHOOL WHO ARE RATED AS EFFECTIVE OR HIGHLY EFFECTIVE; AND

(c) THE NUMBER AND PERCENTAGE OF LICENSED PERSONNEL IN THE PRINCIPAL'S SCHOOL WHO ARE RATED AS INEFFECTIVE BUT ARE IMPROVING IN EFFECTIVENESS.

(8) ON OR BEFORE AUGUST 1, 2014, EACH LOCAL BOARD OF EDUCATION SHALL DEVELOP, IN COLLABORATION WITH A LOCAL TEACHERS ASSOCIATION OR, IF NONE EXISTS, WITH TEACHERS FROM THE DISTRICT, AN INCENTIVE SYSTEM, THE PURPOSE OF WHICH SHALL BE TO ENCOURAGE EFFECTIVE TEACHERS IN HIGH-PERFORMING SCHOOLS TO MOVE TO JOBS IN SCHOOLS THAT HAVE LOW PERFORMANCE RATINGS.

**SECTION 8.** 22-11-302 (1), Colorado Revised Statutes, is amended by THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS to read:

**22-11-302. School district accountability committees - powers and duties.** (1) Each school district accountability committee shall have the following powers and duties:

(d) TO PROVIDE INPUT AND RECOMMENDATIONS ON AN ADVISORY BASIS TO PRINCIPALS CONCERNING THE DEVELOPMENT AND USE OF ASSESSMENT TOOLS USED FOR THE PURPOSE OF MEASURING AND EVALUATING STUDENT ACADEMIC GROWTH AS IT RELATES TO TEACHER EVALUATIONS.

(e) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE PRINCIPAL'S SCHOOL SHALL PROVIDE INPUT AND RECOMMENDATIONS TO THE DISTRICT ACCOUNTABILITY COMMITTEE AND THE DISTRICT ADMINISTRATION CONCERNING THE PRINCIPAL'S EVALUATION.

**SECTION 9.** 22-11-402 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**22-11-402. School accountability committee - powers and duties - meetings.** (1) Each school accountability committee shall have the following powers and duties:

(e) TO PROVIDE INPUT AND RECOMMENDATIONS ON AN ADVISORY BASIS TO DISTRICT ACCOUNTABILITY COMMITTEES AND DISTRICT ADMINISTRATION CONCERNING:

(I) PRINCIPAL DEVELOPMENT PLANS FOR THEIR PRINCIPAL PURSUANT TO SECTION 22-9-106; AND

(II) PRINCIPAL EVALUATIONS CONDUCTED PURSUANT TO SECTION 22-9-106.

**SECTION 10.** 22-63-103 (7), Colorado Revised Statutes, is amended to read:

**22-63-103. Definitions.** As used in this article, unless the context otherwise requires:

(7) "Probationary teacher" means a teacher who has not completed ~~three full years of continuous employment with the employing school district and who has not been reemployed for the fourth year~~ CONSECUTIVE YEARS OF DEMONSTRATED EFFECTIVENESS OR A NONPROBATIONARY TEACHER WHO HAS HAD TWO CONSECUTIVE YEARS OF DEMONSTRATED INEFFECTIVENESS, AS DEFINED BY RULE ADOPTED BY THE GENERAL ASSEMBLY PURSUANT TO SECTION 22-9-105.5.

**SECTION 11.** 22-63-202 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**22-63-202. Employment contracts - contracts to be in writing - duration - damage provision.** (2) (c.5) (I) THE GENERAL ASSEMBLY FINDS THAT, FOR THE FAIR EVALUATION OF A PRINCIPAL BASED ON THE DEMONSTRATED EFFECTIVENESS OF HIS OR HER TEACHERS, THE PRINCIPAL NEEDS THE ABILITY TO SELECT TEACHERS WHO HAVE DEMONSTRATED EFFECTIVENESS AND HAVE DEMONSTRATED QUALIFICATIONS AND TEACHING EXPERIENCE THAT SUPPORT THE INSTRUCTIONAL PRACTICES OF HIS OR HER SCHOOL. THEREFORE, EACH EMPLOYMENT CONTRACT EXECUTED PURSUANT TO THIS SECTION SHALL CONTAIN A PROVISION STATING THAT A TEACHER

MAY BE ASSIGNED TO A PARTICULAR SCHOOL ONLY WITH THE CONSENT OF THE HIRING PRINCIPAL AND WITH INPUT FROM AT LEAST TWO TEACHERS EMPLOYED AT THE SCHOOL AND CHOSEN BY THE FACULTY OF TEACHERS AT THE SCHOOL TO REPRESENT THEM IN THE HIRING PROCESS, AND AFTER A REVIEW OF THE TEACHER'S DEMONSTRATED EFFECTIVENESS AND QUALIFICATIONS, WHICH REVIEW DEMONSTRATES THAT THE TEACHER'S QUALIFICATIONS AND TEACHING EXPERIENCE SUPPORT THE INSTRUCTIONAL PRACTICES OF HIS OR HER SCHOOL.

(II) (A) ANY ACTIVE NONPROBATIONARY TEACHER WHO, DURING THE PRIOR SCHOOL YEAR, WAS DEEMED SATISFACTORY, OR WAS DEEMED EFFECTIVE IN A DISTRICT THAT HAS IMPLEMENTED A MULTI-TIERED EVALUATION SYSTEM AND HAS IDENTIFIED RATINGS EQUIVALENT TO EFFECTIVE, AND HAS NOT SECURED A POSITION THROUGH SCHOOL-BASED HIRING SHALL BE A MEMBER OF A PRIORITY HIRING POOL, WHICH PRIORITY HIRING POOL SHALL ENSURE THE NONPROBATIONARY TEACHER A FIRST OPPORTUNITY TO INTERVIEW FOR AVAILABLE POSITIONS FOR WHICH HE OR SHE IS QUALIFIED IN A SCHOOL DISTRICT.

(B) WHEN A DETERMINATION IS MADE THAT A NONPROBATIONARY TEACHER'S SERVICES ARE NO LONGER REQUIRED FOR THE REASONS SET FORTH IN SUBPARAGRAPH (VII) OF THIS PARAGRAPH (c.5), THE NONPROBATIONARY TEACHER SHALL BE NOTIFIED OF HIS OR HER REMOVAL FROM THE SCHOOL. IN MAKING DECISIONS PURSUANT TO THIS PARAGRAPH (c.5), A SCHOOL DISTRICT SHALL WORK WITH ITS LOCAL TEACHERS ASSOCIATION TO DEVELOP POLICIES FOR THE LOCAL SCHOOL BOARD TO ADOPT. IF NO TEACHER ASSOCIATION EXISTS IN THE SCHOOL DISTRICT, THE SCHOOL DISTRICT SHALL CREATE AN EIGHT PERSON COMMITTEE CONSISTING OF FOUR SCHOOL DISTRICT MEMBERS AND FOUR TEACHERS, WHICH COMMITTEE SHALL DEVELOP SUCH POLICIES. UPON NOTICE TO THE NONPROBATIONARY TEACHER, THE DEPARTMENT OF HUMAN RESOURCES FOR THE SCHOOL DISTRICT SHALL IMMEDIATELY PROVIDE THE NONPROBATIONARY TEACHER WITH A LIST OF ALL VACANT POSITIONS FOR WHICH HE OR SHE IS QUALIFIED, AS WELL AS A LIST OF VACANCIES IN ANY AREA IDENTIFIED BY THE SCHOOL DISTRICT TO BE AN AREA OF CRITICAL NEED. AN APPLICATION FOR A VACANCY SHALL BE MADE TO THE PRINCIPAL OF A LISTED SCHOOL, WITH A COPY OF THE APPLICATION PROVIDED BY THE NONPROBATIONARY TEACHER TO THE SCHOOL DISTRICT. WHEN A PRINCIPAL RECOMMENDS APPOINTMENT OF A NONPROBATIONARY TEACHER APPLICANT TO A VACANT POSITION, THE NONPROBATIONARY TEACHER SHALL BE

TRANSFERRED TO THAT POSITION.

(C) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE 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.

(III) (A) ANY ACTIVE NONPROBATIONARY TEACHER WHO WAS DEEMED EFFECTIVE DURING THE PRIOR SCHOOL YEAR AND HAS NOT SECURED A MUTUAL CONSENT PLACEMENT SHALL BE A MEMBER OF A PRIORITY HIRING POOL, WHICH PRIORITY HIRING POOL SHALL ENSURE THE NONPROBATIONARY TEACHER A FIRST OPPORTUNITY TO INTERVIEW FOR A REASONABLE NUMBER OF AVAILABLE POSITIONS FOR WHICH HE OR SHE IS QUALIFIED IN THE SCHOOL DISTRICT.

(B) WHEN A DETERMINATION IS MADE THAT A NONPROBATIONARY TEACHER'S SERVICES ARE NO LONGER REQUIRED FOR THE REASONS SET FORTH IN SUBPARAGRAPH (VII) OF THIS PARAGRAPH (c.5), THE NONPROBATIONARY TEACHER SHALL BE NOTIFIED OF HIS OR HER REMOVAL FROM THE SCHOOL. IN MAKING DECISIONS PURSUANT TO THIS PARAGRAPH (c.5), A SCHOOL DISTRICT SHALL WORK WITH ITS LOCAL TEACHERS ASSOCIATION TO DEVELOP POLICIES FOR THE LOCAL SCHOOL BOARD TO ADOPT. IF NO TEACHER ASSOCIATION EXISTS IN THE SCHOOL DISTRICT, THE SCHOOL DISTRICT SHALL CREATE AN EIGHT PERSON COMMITTEE CONSISTING OF FOUR SCHOOL DISTRICT MEMBERS AND FOUR TEACHERS, WHICH COMMITTEE SHALL DEVELOP SUCH POLICIES. UPON NOTICE TO THE NONPROBATIONARY TEACHER, THE SCHOOL DISTRICT SHALL IMMEDIATELY PROVIDE THE NONPROBATIONARY TEACHER WITH A LIST OF ALL VACANT POSITIONS FOR WHICH HE OR SHE IS QUALIFIED, AS WELL AS A LIST OF VACANCIES IN ANY AREA IDENTIFIED BY THE SCHOOL DISTRICT TO BE AN AREA OF CRITICAL NEED. AN APPLICATION FOR A VACANCY SHALL BE MADE TO THE PRINCIPAL OF A LISTED SCHOOL, WITH A COPY OF THE APPLICATION PROVIDED BY THE NONPROBATIONARY TEACHER TO THE SCHOOL DISTRICT. WHEN A PRINCIPAL RECOMMENDS APPOINTMENT OF A NONPROBATIONARY TEACHER APPLICANT TO A VACANT POSITION, THE NONPROBATIONARY

TEACHER SHALL BE TRANSFERRED TO THAT POSITION.

(C) THIS SUBPARAGRAPH (III) 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.

(IV) IF A NONPROBATIONARY TEACHER IS UNABLE TO SECURE A MUTUAL CONSENT ASSIGNMENT AT A SCHOOL OF THE SCHOOL DISTRICT AFTER TWELVE MONTHS OR TWO HIRING CYCLES, WHICHEVER PERIOD IS LONGER, THE SCHOOL DISTRICT SHALL PLACE THE TEACHER ON UNPAID LEAVE UNTIL SUCH TIME AS THE TEACHER IS ABLE TO SECURE AN ASSIGNMENT. IF THE TEACHER SECURES AN ASSIGNMENT AT A SCHOOL OF THE SCHOOL DISTRICT WHILE PLACED ON UNPAID LEAVE, THE SCHOOL DISTRICT SHALL REINSTATE THE TEACHER'S SALARY AND BENEFITS AT THE LEVEL THEY WOULD HAVE BEEN IF THE TEACHER HAD NOT BEEN PLACED ON UNPAID LEAVE.

(V) NOTHING IN THIS SECTION SHALL LIMIT THE ABILITY OF A SCHOOL DISTRICT TO PLACE A TEACHER IN A TWELVE-MONTH OR OTHER LIMITED-TERM ASSIGNMENTS, INCLUDING, BUT NOT LIMITED TO, A TEACHING ASSIGNMENT, SUBSTITUTE ASSIGNMENT, OR INSTRUCTIONAL SUPPORT ROLE DURING THE PERIOD IN WHICH THE TEACHER IS ATTEMPTING TO SECURE AN ASSIGNMENT THROUGH SCHOOL-BASED HIRING. SUCH AN ASSIGNMENT SHALL NOT CONSTITUTE AN ASSIGNMENT THROUGH SCHOOL-BASED HIRING AND SHALL NOT BE DEEMED TO INTERRUPT THE PERIOD IN WHICH THE TEACHER IS REQUIRED TO SECURE AN ASSIGNMENT THROUGH SCHOOL-BASED HIRING BEFORE THE DISTRICT SHALL PLACE THE TEACHER ON UNPAID LEAVE.

(VI) THE PROVISIONS OF THIS PARAGRAPH (c.5) MAY BE WAIVED IN WHOLE OR IN PART FOR A RENEWABLE FOUR-YEAR PERIOD BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 22-2-117, PROVIDED THAT THE LOCAL SCHOOL BOARD APPLYING FOR THE WAIVER, IN CONJUNCTION WITH THE SUPERINTENDENT AND TEACHERS ASSOCIATION IN A DISTRICT THAT HAS AN OPERATING MASTER EMPLOYMENT CONTRACT, IF APPLICABLE,

DEMONSTRATES THAT THE WAIVER IS IN THE BEST INTEREST OF STUDENTS ENROLLED IN THE SCHOOL DISTRICT, SUPPORTS THE EQUITABLE DISTRIBUTION OF EFFECTIVE TEACHERS, AND WILL NOT RESULT IN PLACEMENT OTHER THAN BY MUTUAL CONSENT OF THE TEACHER IN A SCHOOL DISTRICT OR PUBLIC SCHOOL THAT IS REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT PLAN OR TURNAROUND PLAN PURSUANT TO ARTICLE 11 OF THIS TITLE. NOTWITHSTANDING THE PROVISIONS OF THIS PARAGRAPH (c.5), A WAIVER SHALL NOT BE GRANTED FOR A REQUEST THAT EXTENDS THE TIME FOR SECURING AN ASSIGNMENT THROUGH SCHOOL-BASED HIRING FOR MORE THAN TWO YEARS.

(VII) THIS PARAGRAPH (c.5) SHALL APPLY TO ANY TEACHER WHO IS DISPLACED AS A RESULT OF DROP IN ENROLLMENT; TURNAROUND; PHASE-OUT; REDUCTION IN PROGRAM; OR REDUCTION IN BUILDING, INCLUDING CLOSURE, CONSOLIDATION, OR RECONSTITUTION.

**SECTION 12.** 22-63-202 (3), Colorado Revised Statutes, is amended to read:

**22-63-202. Employment contracts - contracts to be in writing - duration - dam age provision.** (3) A teacher may be suspended temporarily during the contractual period until the date of dismissal as ordered by the board pursuant to section 22-63-302 or may have his OR HER employment contract cancelled during the contractual period when there is a justifiable decrease in the number of teaching positions. The manner in which employment contracts will be cancelled when there is a justifiable decrease in the number of teaching positions ~~may~~ SHALL be included in any contract between the board of education of the school district and school district employees ~~If there is no such contract provision, when a justifiable reduction in the number of teaching positions within a particular endorsement area occurs, the employment contracts of first-year probationary teachers who are occupying such positions shall be cancelled first. Further reductions in the number of teaching positions through the cancellation of employment contracts of second-year and third-year probationary teachers and nonprobationary teachers shall be made in accordance with an established policy of the board of education of the school district. The provisions of this subsection (3) concerning the cancellation of employment contracts shall not create any property right or contract right, express or implied, for second-year and third-year probationary teachers~~ OR IN AN ESTABLISHED POLICY OF THE BOARD, WHICH

CONTRACT OR POLICY SHALL INCLUDE THE CRITERIA DESCRIBED IN SECTION 22-9-106 AS SIGNIFICANT FACTORS IN DETERMINING WHICH EMPLOYMENT CONTRACTS TO CANCEL AS A RESULT OF THE DECREASE IN TEACHING POSITIONS. EFFECTIVE FEBRUARY 15, 2012, THE CONTRACT OR POLICY SHALL INCLUDE CONSIDERATION OF PROBATIONARY AND NONPROBATIONARY STATUS AND THE NUMBER OF YEARS A TEACHER HAS BEEN TEACHING IN THE SCHOOL DISTRICT; EXCEPT THAT THESE CRITERIA MAY BE CONSIDERED ONLY AFTER THE CONSIDERATION OF THE CRITERIA DESCRIBED IN SECTION 22-9-106 AND ONLY IF THE CONTRACT OR POLICY IS IN THE BEST INTEREST OF THE STUDENTS ENROLLED IN THE SCHOOL DISTRICT.

**SECTION 13.** 22-63-203 (1), (2) (b) (III), and (2) (b) (IV), Colorado Revised Statutes, are amended to read:

**22-63-203. Probationary teachers - renewal and nonrenewal of employment contract - repeal.** (1) (a) EXCEPT AS PROVIDED FOR IN PARAGRAPH (b) OF THIS SUBSECTION (1), the provisions of this section shall apply only to probationary teachers and shall no longer apply when the teacher has been reemployed for the fourth year, EXCEPT AS PROVIDED FOR IN PARAGRAPH (a.5) OF SUBSECTION (4) OF THIS SECTION. THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2014.

(b) FOR ANY SCHOOL DISTRICT THAT HAS IMPLEMENTED THE PERFORMANCE EVALUATION SYSTEM BASED ON QUALITY STANDARDS PURSUANT TO SECTION 22-9-106 AND THE RULES ADOPTED BY THE STATE BOARD PURSUANT TO SECTION 22-9-105.5, THE PROVISIONS OF THIS SECTION SHALL APPLY ONLY TO PROBATIONARY TEACHERS AND SHALL NO LONGER APPLY WHEN THE TEACHER HAS BEEN GRANTED NONPROBATIONARY STATUS AS A RESULT OF THREE CONSECUTIVE YEARS OF DEMONSTRATED EFFECTIVENESS, AS DETERMINED THROUGH HIS OR HER PERFORMANCE EVALUATIONS AND CONTINUOUS EMPLOYMENT.

(2) (b) For purposes of paragraph (a) of this subsection (2):

(III) The three CONSECUTIVE school years of DEMONSTRATED EFFECTIVENESS AND continuous employment required for the probationary period shall not be deemed to be interrupted by the temporary illness of a probationary teacher. A leave of absence approved by the board of a school district or a military leave of absence pursuant to article 3 of title 28, C.R.S., shall not be considered to be an interruption of the CONSECUTIVE YEARS OF

DEMONSTRATED EFFECTIVENESS AND continuous employment required for the probationary period, but the time of such leaves of absence shall not be included in computing the required probationary period.

(IV) The three CONSECUTIVE school years of DEMONSTRATED EFFECTIVENESS AND continuous employment required for the probationary period shall not be deemed to be interrupted by the acceptance by a probationary teacher of the position of chief administrative officer in said school district, but the period of time during which such teacher serves in such capacity shall not be included in computing said probationary period.

**SECTION 14.** 22-63-203 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**22-63-203. Probationary teachers - removal and nonrenewal of employment contract - repeal.** (4) (a.5) (I) BEGINNING WITH THE 2010-2011 SCHOOL YEAR, AN EMPLOYING SCHOOL DISTRICT MAY OPT TO RENEW THE TEACHER'S CONTRACT ON EITHER A PROBATIONARY OR NONPROBATIONARY STATUS OR TO NOT RENEW THE CONTRACT OF A PROBATIONARY TEACHER WHO HAS COMPLETED HIS OR HER THIRD YEAR OF EMPLOYMENT. THIS PARAGRAPH (a.5) SHALL BE REPEALED AFTER THE PERFORMANCE EVALUATION SYSTEM BASED ON QUALITY STANDARDS HAS BEEN IMPLEMENTED PURSUANT TO SECTION 22-9-105.5.

(II) A PROBATIONARY TEACHER WHO IS DEEMED TO BE PERFORMING SATISFACTORILY IN ANY OF SCHOOL YEARS 2010-2011, 2011-2012, AND 2012-2013 SHALL, FOR PURPOSES OF ARTICLE 9 OF THIS TITLE, BE DEEMED TO HAVE PERFORMED EFFECTIVELY DURING THE SAME SCHOOL YEAR OR YEARS. BEGINNING WITH THE 2013-2014 SCHOOL YEAR, ALL TEACHERS SHALL BE EVALUATED IN ACCORDANCE WITH THE NEW PERFORMANCE EVALUATION SYSTEM THAT IS BASED ON MEASURES OF EFFECTIVENESS; HOWEVER, A SCHOOL DISTRICT MAY EXTEND THE PROBATIONARY STATUS OF A TEACHER WHO HAS THREE CONSECUTIVE SATISFACTORY RATINGS AS OF JULY 1, 2013, BY NO MORE THAN ONE YEAR.

**SECTION 15.** Part 2 of article 63 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-63-203.5. Nonprobationary portability.** BEGINNING WITH THE 2014-2015 SCHOOL YEAR, A NONPROBATIONARY TEACHER, EXCEPT FOR A

NONPROBATIONARY TEACHER WHO HAS HAD TWO CONSECUTIVE PERFORMANCE EVALUATIONS WITH AN INEFFECTIVE RATING, WHO IS EMPLOYED BY A SCHOOL DISTRICT AND IS SUBSEQUENTLY HIRED BY A DIFFERENT SCHOOL DISTRICT MAY PROVIDE TO THE HIRING SCHOOL DISTRICT EVIDENCE OF HIS OR HER STUDENT ACADEMIC GROWTH DATA AND PERFORMANCE EVALUATIONS FOR THE PRIOR TWO YEARS FOR THE PURPOSES OF RETAINING NONPROBATIONARY STATUS. IF, UPON PROVIDING SUCH DATA, THE NONPROBATIONARY TEACHER CAN SHOW TWO CONSECUTIVE PERFORMANCE EVALUATIONS WITH EFFECTIVENESS RATINGS IN GOOD STANDING, HE OR SHE SHALL BE GRANTED NONPROBATIONARY STATUS IN THE HIRING SCHOOL DISTRICT.

**SECTION 16.** 22-54-117 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**22-54-117. Contingency reserve - capital construction expenditures reserve - fund - lottery proceeds contingency reserve.**

(1) (g) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (e) OF THIS SUBSECTION (1) TO THE CONTRARY, AS PROVIDED FOR IN SECTION 22-9-105.7 (3) AND UPON RECEIPT OF NOTICE FROM THE COMMISSIONER, FOR FISCAL YEARS 2010-2011 AND 2011-2012, THE STATE TREASURER SHALL DEDUCT AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS FROM THE CONTINGENCY RESERVE FUND AND TRANSFER SUCH AMOUNT TO THE GREAT TEACHERS AND LEADERS FUND, CREATED IN SECTION 22-9-105.7.

**SECTION 17.** 22-63-206, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**22-63-206. Transfer - compensation.** (5) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS REQUIRING A RECEIVING SCHOOL TO INVOLUNTARILY ACCEPT THE TRANSFER OF A TEACHER. ALL TRANSFERS TO POSITIONS AT OTHER SCHOOLS OF THE SCHOOL DISTRICT SHALL REQUIRE THE CONSENT OF THE RECEIVING SCHOOL.

**SECTION 18. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Terrance D. Carroll  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

---

Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO

# Appendix 7 - Annotated School Performance Framework Report (High School)

1 The four key performance indicators for which schools are held accountable.

2 Different indicators are worth different amounts of total framework points. For schools with data on all indicators, the total eligible points across all indicators is 100. For schools with incomplete data (because of small numbers of students), the total eligible points may be less than 100.

3 The percentage of points earned out of the points for which the school was eligible. See page 2 for data used to calculate this percentage. This percentage determines the school's rating on this indicator.

4 Multiply the percentage of points earned by the indicator's point total to get weighted points for the school on this indicator.

## Improvement Plan

This is the plan type the school is required to adopt and implement. Schools are assigned a plan based on their overall framework score, which is a percentage of the total points they earned out of the total points eligible in each performance indicator. The overall score is then matched to the scoring guide below to determine the plan type.

| Plan Type Assignment | Framework Points Earned     |
|----------------------|-----------------------------|
| Performance          | at or above 60%             |
| Improvement          | at or above 47% - below 60% |
| Priority Improvement | at or above 33% - below 47% |
| Turnaround           | below 33%                   |

Framework points are calculated using the percentage of points earned out of points eligible. For schools with data on all indicators, the total points possible are: 15 points for Academic Achievement, 35 for Academic Growth, 15 for Academic Growth Gaps, and 35 for Postsecondary and Workforce Readiness.

| Performance Indicators                | Rating                     | % of Points Earned out of Points Eligible* |                                 |                                                                                                                                                                                                                                                                   |
|---------------------------------------|----------------------------|--------------------------------------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Academic Achievement                  | Does Not Meet              | 31.3%                                      | (4.7 out of 15 points)          | <div style="display: flex; align-items: center;"> <div style="width: 31.3%; height: 15px; background-color: black;"></div> <div style="width: 68.7%; height: 15px; background-color: white; border: 1px solid black; margin-left: 2px;"></div> </div><br>4.7 15   |
| Academic Growth                       | Meets                      | 66.7%                                      | (23.3 out of 35 points)         | <div style="display: flex; align-items: center;"> <div style="width: 66.7%; height: 15px; background-color: black;"></div> <div style="width: 33.3%; height: 15px; background-color: white; border: 1px solid black; margin-left: 2px;"></div> </div><br>23.3 35  |
| Academic Growth Gaps                  | Approaching                | 60.4%                                      | (9.1 out of 15 points)          | <div style="display: flex; align-items: center;"> <div style="width: 60.4%; height: 15px; background-color: black;"></div> <div style="width: 39.6%; height: 15px; background-color: white; border: 1px solid black; margin-left: 2px;"></div> </div><br>9.1 15   |
| Postsecondary and Workforce Readiness | Approaching                | 58.3%                                      | (20.4 out of 35 points)         | <div style="display: flex; align-items: center;"> <div style="width: 58.3%; height: 15px; background-color: black;"></div> <div style="width: 41.7%; height: 15px; background-color: white; border: 1px solid black; margin-left: 2px;"></div> </div><br>20.4 35  |
| Test Participation**                  | 95% participation rate met |                                            |                                 |                                                                                                                                                                                                                                                                   |
| <b>TOTAL</b>                          |                            | <b>57.5%</b>                               | <b>(57.5 out of 100 points)</b> | <div style="display: flex; align-items: center;"> <div style="width: 57.5%; height: 20px; background-color: black;"></div> <div style="width: 42.5%; height: 20px; background-color: white; border: 1px solid black; margin-left: 2px;"></div> </div><br>57.5 100 |

\* Schools may not be eligible for all possible points on an indicator due to insufficient numbers of students. In these cases, the points are removed from both the points earned and the points eligible, so scores are not negatively impacted.

\*\* Schools do not receive points for test participation. However, schools are assigned one accreditation category lower than their points indicate if they do not (1) meet at least a 95% participation rate in all or all but one subject area (reading, writing, math, science and COACT), or (2) for schools serving multiple grade levels, meet at least a 95% participation rate in all or all but one subject area when individual subject rates are rolled up across grade levels AND the school makes AYP participation (in reading and math) for each grade level overall (not including disaggregated groups).

6 The type of plan the state has assigned to the school to implement, based on the data presented in this report.

7 Schools that do not meet the 95% test participation rate for any subject area tests are assigned a plan one category lower than what they would have earned.

8 The sum of the total framework points earned across all indicators.

9 The sum of the total framework points earned out of points for which the school was eligible is converted to a percentage. This determines the final plan assignment.

# Annotated SPF Report(High School)

2 The school can earn between 1 to 4 points for each metric depending on its rating. Schools with too few students may have fewer points eligible.

1 This is the school's data for each metric on this performance indicator. The data is used to determine the number of points and the indicator ratings the school earned. How performance relates to points is described on page 3.

3 The school's points are added together and converted to a percentage for this indicator. This percentage is shown on page 1 as the school's overall rating on this indicator.

4 Growth gaps are calculated for five different subgroups in three subject areas: reading, math and writing. Each row shows the median growth percentile and what would be the adequate mediate growth percentile needed for each subgroup to catch up or keep up.

5 The ratings for the Growth and Growth Gaps indicators are determined by the median growth percentile and the median adequate growth percentile. See page 3 for details regarding how these metrics result in different ratings.

6 N refers to the number of students included in each row of data.

| Performance Indicators - INITIAL DRAFT FOR DISTRICT REVIEW |                      |                 |                            |                      |                 |                                   |                                            |                                        |  |
|------------------------------------------------------------|----------------------|-----------------|----------------------------|----------------------|-----------------|-----------------------------------|--------------------------------------------|----------------------------------------|--|
| School: ABC SCHOOL - 0000                                  |                      |                 |                            |                      |                 |                                   |                                            | Level: High School                     |  |
|                                                            |                      |                 |                            |                      |                 |                                   |                                            | District: ABC DISTRICT - 0000 (1 year) |  |
| <b>Academic Achievement</b>                                |                      |                 |                            |                      |                 |                                   |                                            |                                        |  |
|                                                            | Points Earned        | Points Eligible | % Points                   | Rating               | N               | % Proficient/Advanced             | School's Percentile                        |                                        |  |
| Reading                                                    | 1                    | 4               |                            | Does Not Meet        | 83              | 46.8%                             | 8                                          |                                        |  |
| Math                                                       | 1                    | 4               |                            | Does Not Meet        | 83              | 3.9%                              | 2                                          |                                        |  |
| Writing                                                    | 1                    | 4               |                            | Does Not Meet        | 83              | 18.2%                             | 4                                          |                                        |  |
| Science                                                    | 2                    | 4               |                            | Approaching          | 48              | 29.5%                             | 18                                         |                                        |  |
| <b>Total</b>                                               | <b>5</b>             | <b>16</b>       | <b>31.3%</b>               | <b>Does Not Meet</b> |                 |                                   |                                            |                                        |  |
| <b>Academic Growth</b>                                     |                      |                 |                            |                      |                 |                                   |                                            |                                        |  |
|                                                            | Points Earned        | Points Eligible | % Points                   | Rating               | N               | Median Growth Percentile          | Median Adequate Growth Percentile          | Made Adequate Growth?                  |  |
| Reading                                                    | 3                    | 4               |                            | Meets                | 57              | 52                                | 35                                         | Yes                                    |  |
| Mathematics                                                | 2                    | 4               |                            | Approaching          | 57              | 50                                | 99                                         | No                                     |  |
| Writing                                                    | 3                    | 4               |                            | Meets                | 57              | 58                                | 82                                         | No                                     |  |
| <b>Total</b>                                               | <b>8</b>             | <b>12</b>       | <b>66.7%</b>               | <b>Meets</b>         |                 |                                   |                                            |                                        |  |
| <b>Academic Growth Gaps</b>                                |                      |                 |                            |                      |                 |                                   |                                            |                                        |  |
|                                                            | Points Earned        | Points Eligible | % Points                   | Rating               | Subgroup N      | Subgroup Median Growth Percentile | Subgroup Median Adequate Growth Percentile | Made Adequate Growth?                  |  |
| <b>Reading</b>                                             | <b>9</b>             | <b>16</b>       | <b>56.3%</b>               | <b>Approaching</b>   |                 |                                   |                                            |                                        |  |
| Free/Reduced Lunch Eligible                                | 2                    | 4               |                            | Approaching          | 48              | 42                                | 42                                         | Yes                                    |  |
| Minority Students                                          | 3                    | 4               |                            | Meets                | 52              | 52                                | 45                                         | Yes                                    |  |
| Students w/Disabilities                                    | 0                    | 0               |                            | -                    | <20 students    | -                                 | -                                          | -                                      |  |
| English Language Learners                                  | 2                    | 4               |                            | Approaching          | 28              | 46                                | 59                                         | No                                     |  |
| Students needing to catch up                               | 2                    | 4               |                            | Approaching          | 27              | 52                                | 85                                         | No                                     |  |
| <b>Mathematics</b>                                         | <b>8</b>             | <b>16</b>       | <b>50.0%</b>               | <b>Approaching</b>   |                 |                                   |                                            |                                        |  |
| Free/Reduced Lunch Eligible                                | 2                    | 4               |                            | Approaching          | 48              | 51                                | 99                                         | No                                     |  |
| Minority Students                                          | 2                    | 4               |                            | Approaching          | 52              | 49                                | 99                                         | No                                     |  |
| Students w/Disabilities                                    | 0                    | 0               |                            | -                    | <20 students    | -                                 | -                                          | -                                      |  |
| English Language Learners                                  | 2                    | 4               |                            | Approaching          | 28              | 40                                | 99                                         | No                                     |  |
| Students needing to catch up                               | 2                    | 4               |                            | Approaching          | 50              | 49                                | 99                                         | No                                     |  |
| <b>Writing</b>                                             | <b>12</b>            | <b>16</b>       | <b>75.0%</b>               | <b>Meets</b>         |                 |                                   |                                            |                                        |  |
| Free/Reduced Lunch Eligible                                | 3                    | 4               |                            | Meets                | 48              | 56                                | 83                                         | No                                     |  |
| Minority Students                                          | 3                    | 4               |                            | Meets                | 52              | 57                                | 83                                         | No                                     |  |
| Students w/Disabilities                                    | 0                    | 0               |                            | -                    | <20 students    | -                                 | -                                          | -                                      |  |
| English Language Learners                                  | 3                    | 4               |                            | Meets                | 28              | 60                                | 89                                         | No                                     |  |
| Students needing to catch up                               | 3                    | 4               |                            | Meets                | 40              | 59                                | 94                                         | No                                     |  |
| <b>Total</b>                                               | <b>29</b>            | <b>48</b>       | <b>60.4%</b>               | <b>Approaching</b>   |                 |                                   |                                            |                                        |  |
| <b>Postsecondary and Workforce Readiness</b>               |                      |                 |                            |                      |                 |                                   |                                            |                                        |  |
|                                                            | Points Earned        | Points Eligible | % Points                   | Rating               | N               | Result                            | Expectation                                |                                        |  |
| Graduation Rate: 4-yr/5-yr/6-yr/7-yr                       | 3                    | 4               |                            | Meets                | 35/42/48/56     | 89.6%/88.5%/92.8%/87.0%           | 80.0%                                      |                                        |  |
| Dropout Rate                                               | 3                    | 4               |                            | Meets                | 179             | 2.2%                              | At/below state average                     |                                        |  |
| Colorado ACT Composite Score                               | 1                    | 4               |                            | Does Not Meet        | 31              | 16.4                              | At/above state average                     |                                        |  |
| <b>Total</b>                                               | <b>7</b>             | <b>12</b>       | <b>58.3%</b>               | <b>Approaching</b>   |                 |                                   |                                            |                                        |  |
| <b>Test Participation</b>                                  |                      |                 |                            |                      |                 |                                   |                                            |                                        |  |
|                                                            | % of Students Tested |                 | Rating                     |                      | Students Tested |                                   | Total Students                             |                                        |  |
| Reading                                                    | 100.0%               |                 | 95% participation rate met |                      | 97              |                                   | 97                                         |                                        |  |
| Mathematics                                                | 98.9%                |                 | 95% participation rate met |                      | 92              |                                   | 93                                         |                                        |  |
| Writing                                                    | 100.0%               |                 | 95% participation rate met |                      | 92              |                                   | 92                                         |                                        |  |
| Science                                                    | 100.0%               |                 | 95% participation rate met |                      | 80              |                                   | 80                                         |                                        |  |
| Colorado ACT                                               | 100.0%               |                 | 95% participation rate met |                      | 31              |                                   | 31                                         |                                        |  |

# Annotated SPF Report (High School)

\*Elementary and middle schools have a different scoring guide, since they exclude a Postsecondary and Workforce Readiness indicator.

| Scoring Guide for Performance Indicators on the School Performance Framework Report                    |                                                                                                                                          |               |             |                |                                                |    |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------|----------------|------------------------------------------------|----|
| Performance Indicator                                                                                  | Scoring Guide                                                                                                                            | Rating        | Point Value | Total Possible | Framework Points                               |    |
| Academic Achievement                                                                                   | <i>The school's percentage of students scoring proficient or advanced was:</i>                                                           |               |             |                | 16<br>(4 for each subject area)                | 15 |
|                                                                                                        | • at or above the 90th percentile of all schools using 2010 (1-year SPF) or 2008-10 baseline (3-year SPF).                               | Exceeds       | 4           |                |                                                |    |
|                                                                                                        | • below the 90th percentile but at or above the 50th percentile of all schools using 2010 (1-year SPF) or 2008-10 baseline (3-year SPF). | Meets         | 3           |                |                                                |    |
|                                                                                                        | • below the 50th percentile but at or above the 15th percentile of all schools using 2010 (1-year SPF) or 2008-10 baseline (3-year SPF). | Approaching   | 2           |                |                                                |    |
|                                                                                                        | • below the 15th percentile of all schools using 2010 (1-year SPF) or 2008-10 baseline (3-year SPF).                                     | Does Not Meet | 1           |                |                                                |    |
| Academic Growth                                                                                        | <i>If the school meets the median adequate student growth percentile and its median student growth percentile was:</i>                   |               |             |                | 12<br>(4 for each subject area)                | 35 |
|                                                                                                        | • at or above 60.                                                                                                                        | Exceeds       | 4           |                |                                                |    |
|                                                                                                        | • below 60 but at or above 45.                                                                                                           | Meets         | 3           |                |                                                |    |
|                                                                                                        | • below 45 but at or above 30.                                                                                                           | Approaching   | 2           |                |                                                |    |
|                                                                                                        | • below 30.                                                                                                                              | Does Not Meet | 1           |                |                                                |    |
|                                                                                                        | <i>If the school does not meet the median adequate student growth percentile and its median student growth percentile was:</i>           |               |             |                |                                                |    |
|                                                                                                        | • at or above 70.                                                                                                                        | Exceeds       | 4           |                |                                                |    |
|                                                                                                        | • below 70 but at or above 55.                                                                                                           | Meets         | 3           |                |                                                |    |
|                                                                                                        | • below 55 but at or above 40.                                                                                                           | Approaching   | 2           |                |                                                |    |
|                                                                                                        | • below 40.                                                                                                                              | Does Not Meet | 1           |                |                                                |    |
| Academic Growth Gaps                                                                                   | <i>If the student subgroup meets the median adequate student growth percentile and its median student growth percentile was:</i>         |               |             |                | 60<br>(5 for each subgroup in 3 subject areas) | 15 |
|                                                                                                        | • at or above 60.                                                                                                                        | Exceeds       | 4           |                |                                                |    |
|                                                                                                        | • below 60 but at or above 45.                                                                                                           | Meets         | 3           |                |                                                |    |
|                                                                                                        | • below 45 but at or above 30.                                                                                                           | Approaching   | 2           |                |                                                |    |
|                                                                                                        | • below 30.                                                                                                                              | Does Not Meet | 1           |                |                                                |    |
|                                                                                                        | <i>If the student subgroup does not meet the median adequate student growth percentile and its median student growth percentile was:</i> |               |             |                |                                                |    |
|                                                                                                        | • at or above 70.                                                                                                                        | Exceeds       | 4           |                |                                                |    |
|                                                                                                        | • below 70 but at or above 55.                                                                                                           | Meets         | 3           |                |                                                |    |
|                                                                                                        | • below 55 but at or above 40.                                                                                                           | Approaching   | 2           |                |                                                |    |
|                                                                                                        | • below 40.                                                                                                                              | Does Not Meet | 1           |                |                                                |    |
| Postsecondary and Workforce Readiness                                                                  | <i>Graduation Rate: The school's graduation rate was:</i>                                                                                |               |             |                | 12<br>(4 for each sub-indicator)               | 35 |
|                                                                                                        | • at or above 90%.                                                                                                                       | Exceeds       | 4           |                |                                                |    |
|                                                                                                        | • above 80% but below 90%.                                                                                                               | Meets         | 3           |                |                                                |    |
|                                                                                                        | • at or above 65% but below 80%                                                                                                          | Approaching   | 2           |                |                                                |    |
|                                                                                                        | • below 65%.                                                                                                                             | Does Not Meet | 1           |                |                                                |    |
|                                                                                                        | <i>Dropout Rate: The school's dropout rate was:</i>                                                                                      |               |             |                |                                                |    |
|                                                                                                        | • at or below 1%.                                                                                                                        | Exceeds       | 4           |                |                                                |    |
|                                                                                                        | • at or below the state average but above 1% using 2009 (1-year SPF) or 2007-09 baseline (3-year SPF).                                   | Meets         | 3           |                |                                                |    |
|                                                                                                        | • at or below 10% but above the state average using 2009 (1-year SPF) or 2007-09 baseline (3-year SPF).                                  | Approaching   | 2           |                |                                                |    |
|                                                                                                        | • at or above 10%.                                                                                                                       | Does Not Meet | 1           |                |                                                |    |
|                                                                                                        | <i>Average Colorado ACT Composite: The school's average Colorado ACT composite score was:</i>                                            |               |             |                |                                                |    |
|                                                                                                        | • at or above 22.                                                                                                                        | Exceeds       | 4           |                |                                                |    |
|                                                                                                        | • at or above the state average but below 22 using 2010 (1-year SPF) or 2008-10 baseline (3-year SPF).                                   | Meets         | 3           |                |                                                |    |
| • at or above 17 but below the state average using 2010 (1-year SPF) or 2008-10 baseline (3-year SPF). | Approaching                                                                                                                              | 2             |             |                |                                                |    |
| • at or below 17.                                                                                      | Does Not Meet                                                                                                                            | 1             |             |                |                                                |    |

| Cut-Points for each performance indicator |                                                                            |               |
|-------------------------------------------|----------------------------------------------------------------------------|---------------|
|                                           | Cut-Point: The school earned ... of the points eligible on this indicator. |               |
| Achievement; Growth; Gaps; Postsecondary  | • at or above 87.5%                                                        | Exceeds       |
|                                           | • at or above 62.5% - below 87.5%                                          | Meets         |
|                                           | • at or above 37.5% - below 62.5%                                          | Approaching   |
|                                           | • below 37.5%                                                              | Does Not Meet |

| Cut-Points for plan type assignment |                                                                          |                      |
|-------------------------------------|--------------------------------------------------------------------------|----------------------|
|                                     | Cut-Point: The school earned ... of the total framework points eligible. |                      |
| Total Framework Points              | • at or above 60%                                                        | Performance          |
|                                     | • at or above 47% - below 60%                                            | Improvement          |
|                                     | • at or above 33% - below 47%                                            | Priority Improvement |
|                                     | • below 33%                                                              | Turnaround           |

| School plan type assignments |                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                              | Plan description                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Performance Plan             | The school is required to adopt and implement a Performance Plan.          | A school may not implement a Priority Improvement and/or Turnaround Plan for longer than a combined total of five consecutive years before the District or Institute is required to restructure or close the school. The five consecutive school years commences on July 1 during the summer immediately following the fall in which the school is notified that it is required to implement a Priority Improvement or Turnaround Plan. |
| Improvement Plan             | The school is required to adopt and implement an Improvement Plan.         |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Priority Improvement Plan    | The school is required to adopt and implement a Priority Improvement Plan. |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Turnaround Plan              | The school is required to adopt and implement a Turnaround Plan.           |                                                                                                                                                                                                                                                                                                                                                                                                                                         |

# Annotated SPF Report (High School)

## Comparison data

### Academic Achievement

Percent of Students Proficient or Advanced by Percentile Cut-Points - 2010 baseline (1-year SPF)

|                 | Reading |        |      | Math |        |      | Writing |        |      | Science |        |      |
|-----------------|---------|--------|------|------|--------|------|---------|--------|------|---------|--------|------|
|                 | Elem    | Middle | High | Elem | Middle | High | Elem    | Middle | High | Elem    | Middle | High |
| N of Schools    | 1008    | 479    | 327  | 1007 | 480    | 327  | 1007    | 480    | 327  | 912     | 407    | 286  |
| 15th percentile | 49.2    | 50.4   | 54.9 | 48.6 | 29.7   | 16   | 32.5    |        |      |         |        |      |
| 50th percentile | 71.6    | 71.4   | 73.3 | 70.9 | 52.5   | 33.5 | 53.5    |        |      |         |        |      |
| 90th percentile | 89.1    | 88.2   | 87.2 | 89.3 | 75     | 54.8 | 76.8    |        |      |         |        |      |

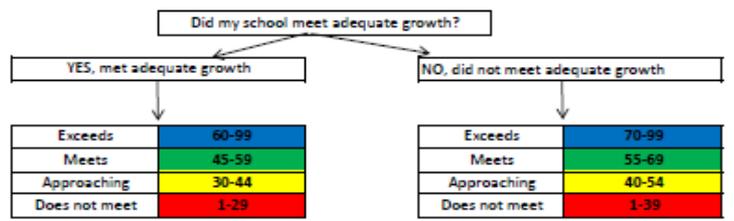
Percent of Students Proficient or Advanced by Percentile Cut-Points - 2008-10 baseline

|                 | Reading |        |      | Math |        |      | Elem |
|-----------------|---------|--------|------|------|--------|------|------|
|                 | Elem    | Middle | High | Elem | Middle | High |      |
| N of Schools    | 1032    | 507    | 362  | 1032 | 507    | 361  | 1032 |
| 15th percentile | 50      | 50.6   | 53.3 | 48.7 | 29.7   | 13.5 | 32.6 |
| 50th percentile | 72      | 71.4   | 72.2 | 70.1 | 51.6   | 30.5 | 54.8 |
| 90th percentile | 88.2    | 87.4   | 86.2 | 87.5 | 74.4   | 52.2 | 76.5 |

All achievement data is compared to baselines from the first year the performance framework reports were released (2009-10 for 1-year reports and 2008-10 for 3-year reports).

1 Use this data in conjunction with the Academic Achievement section of the Scoring Guide on page 3, comparing your school's percent proficient/advanced to Colorado's percent proficient/advanced.

### Academic Growth and Academic Growth Gaps



For Academic Growth and Academic Growth Gaps, the rating depends on whether or not the school met adequate growth. Use the rubric on the left; schools that did not meet adequate growth use the rubric on the right.

2 This is a visual representation of the information under the Academic Growth and Academic Growth Gaps section of the Scoring Guide on page 3. Use the column that matches with whether your school met or did not meet adequate growth.

### Postsecondary and Workforce Readiness

This School's Graduation Rate (1-year SPF)

| Anticipated Year of Graduation |      | 4-year | 5-year | 6-year | 7-year |
|--------------------------------|------|--------|--------|--------|--------|
|                                |      | 2006   | 86.8   | 86.9   | 87.0   |
| 2007                           | 89.7 | 91.6   | 92.8   |        |        |
| 2008                           | 86.7 | 88.5   |        |        |        |
| 2009                           | 89.6 |        |        |        |        |

This School's Graduation Rate (aggregated for 3-year SPF)

| Anticipated Year of Graduation |      | 4-year | 5-year | 6-year | 7-year |
|--------------------------------|------|--------|--------|--------|--------|
|                                |      | 2006   | 86.8   | 86.9   | 87.0   |
| 2007                           | 89.7 | 91.6   | 92.8   |        |        |
| 2008                           | 86.7 | 88.5   |        |        |        |
| 2009                           | 89.6 |        |        |        |        |
| Aggregated                     |      | 88.3   | 89.7   | 89.9   | 87.0   |

4 Use this data in conjunction with the Postsecondary and Workforce Readiness section of the Scoring Guide on page 3. These tables show your school's 4-, 5-, 6- and 7-year graduation rates, highlighting the "best of" result.

State Average (Mean) Dropout Rate - 2009 (1-year SPF) or 2007-09 baseline (3-year SPF)

|                  | N of Students | Mean Dropout Rate |
|------------------|---------------|-------------------|
| 1-year (2009)    | 416,953       | 3.6               |
| 3-year (2007-09) | 1,238,096     | 3.9               |

State Average (Mean) Colorado ACT Composite Score - 2010 (1-year SPF) or 2008-10 baseline (3-year SPF)

| N of Students    | N of Students | Mean Score |
|------------------|---------------|------------|
| 1-year (2010)    | 51,438        | 20.0       |
| 3-year (2008-10) | 151,439       | 20.1       |

All averages are compared to baselines from the first year the performance framework reports were released (2009-10 for 1-year reports and 2008-10 for 3-year reports).

5 Use this data in conjunction with the Postsecondary and Workforce Readiness section of the Scoring Guide on page 3, comparing your school's results to the Colorado dropout rate and average ACT composite score.

Colorado calculates "on-time" graduation as the percent of students who graduate from high school four years after entering ninth grade. A student is assigned a graduating class when they enter ninth grade, and the year the student enters ninth grade. The formula anticipates, for example, that a student entering ninth grade in fall 2006 will graduate with the Class of 2010.

For the 1-year SPF, schools earn points based on the highest value among the following: 2010 4-year graduation rate, 2009 5-year graduation rate, 2008 6-year graduation rate and 2007 7-year graduation rate (the shaded cells in the first table above). For the 3-year SPF, schools earn points based on the highest value among the following: aggregated 2007, 2008, 2009 and 2010 4-year graduation rate, aggregated 2007, 2008 and 2009 5-year graduation rate, aggregated 2007 and 2008 6-year graduation rate, or 2007 7-year graduation rate (the shaded cells in the second table above). For each of these rates, the aggregation is the result of adding the graduation totals for all available years and dividing by the sum of the graduation bases across all available years. For both 1-year and 3-year SPFs, the "best of" graduation rate is bolded and italicized on the Performance Indicators detail page.

### 1-year vs. 3-year report

Schools receive a 1-year and a 3-year aggregated School Performance Framework report. CDE produces a report on the basis of three years of data to enable more schools to be considered within the same performance framework. Some small schools may not have public data on the basis of a single year because of small student counts for some performance indicator metrics, but a report on the basis of three years of data increases the student count.

Only one of the two sets of results (1-year or 3-year) is the one that will be the official plan type assignment for the school: the one under which the school has ratings on a higher number of the performance indicators, or, if it has ratings for an equal number of indicators, the one under which it received a higher total number of points and plan assignment. Note that some 3-year reports may be based on only two years of data if that is the only data available. The years of data included in a report are indicated on page 1.

## Appendix 8

### State Review Panel Feedback Form

#### *Overview*

The Education Accountability Act of 2009 (SB 09-163) calls for a body of field experts, selected by the Commissioner, to assist the department and State Board in carrying out the state’s system of accountability and improvement. This State Review Panel is responsible for assisting the department in evaluating district and school turnaround plans and making recommendations to the Commissioner regarding modifications to a district/school’s plan.

#### *General Directions*

State Review Panelists should review each assigned district/school plan using this State Review Panel Feedback Form. This feedback form is comprised of two parts:

**(1) Part I: State Review Panel Considerations**

**(2) Part II: Quality Criteria**

Panelists should complete both sections in their reviews. It may be helpful to first complete Part II to inform the overall, holistic recommendations in Part I.

Panelists may want to review plans individually or in collaboration with their partner (another State Review Panelist assigned to review the same plans). Regardless, the pair of panelists must submit a single, completed State Review Panel Feedback Form to the Colorado Department of Education. Completed feedback forms should be e-mailed to CDE at [uiphelp@cde.state.co.us](mailto:uiphelp@cde.state.co.us).

#### *Reviewer Information*

|                                        |                            |
|----------------------------------------|----------------------------|
| <b>School Name of Plan Reviewed:</b>   | <b>Name of Reviewer 1:</b> |
| <b>District Name of Plan Reviewed:</b> | <b>Name of Reviewer 2:</b> |

## **Part I: State Review Panel Considerations – Recommendations to the Commissioner**

Part I of the State Review Panel Feedback Form will **not** be shared with districts/schools. This section will be shared with the Commissioner as recommendations.

This section draws upon the SB 09-163 elements (22-11-208 through 22-11-10 C.R.S.) for which State Review Panelists are asked to provide recommendations to the Commissioner. Panelists advise the Commissioner on the following issues, based on a holistic review of the UIP:

- Whether the district’s/school’s leadership is adequate to implement change to improve results;
- Whether the district’s/school’s infrastructure is adequate to support school improvement;
- The readiness and apparent capacity of the district/school personnel to plan effectively and lead the implementation of appropriate actions to improve student academic performance;
- The readiness and apparent capacity of the district/school personnel to engage productively with and benefit from the assistance provided by an external partner;
- The likelihood of positive returns on state investments of assistance and support to improve the district’s/school’s performance within the current management structure and staffing; and
- The necessity that the district or school remain in operation to serve students.

Reviewers are asked to consider each of the above as they review the Unified Improvement Plan, and to identify strengths and weaknesses. However, the purpose of the review is not to “check off” each consideration, but rather to provide meaningful feedback to the Commissioner as to the district/school’s overall improvement planning efforts. The bulleted questions are to be answered only as helpful to informing your overall evaluation of each consideration.

### **1. Is the district/school’s leadership adequate to implement change to improve results?**

- Does the plan present a coherent vision for improvement to increase student achievement?
- Does the plan demonstrate that the district/school has meaningfully engaged in the improvement planning process?

**Comments:**

**2. Is the district/school's infrastructure adequate to support school improvement?**

- Have resources been identified for each major improvement strategy?
- Are the identified resources adequate to implement the strategy?
- Does the plan describe who will be responsible for implementing action steps?
- Are interim measures in place to evaluate progress more than once a year?
- Are implementation benchmarks in place to assess the degree to which action steps have been implemented?

**Comments:**

**3. Does the UIP reflect that district/school personnel are ready and have capacity to plan effectively and lead the implementation of appropriate actions to improve student academic performance?**

- The plan appropriately identifies performance challenges and their root causes.
- Major improvement strategies directly respond to root causes of performance challenges.
- Described action steps are likely to result in the implementation of the major improvement strategy and dissolution of root causes of performance challenges.

**Comments:**

**4. Does the UIP reflect that district/school personnel are ready and have capacity to engage productively with and benefit from the assistance provided by an external partner?**

- Do the major improvement strategies include provisions for engaging an external partner(s)? If yes, does the plan describe specific steps that any external consultants or contractors will take to implement the major improvement strategy?
- Are appropriate implementation benchmarks defined for action steps taken by external consultants or contractors?

**Comments:**

**5. What is the likelihood of positive returns on state investments of assistance and support to improve the district/school performance within the current management structure and staffing?**

- Do the major improvement strategies include substantially changing the current management structure and staffing of the district/school?
- Has the current performance occurred under the current management structure and staffing?

**Comments:**

**6. What is the necessity that the district/school remain in operation to serve students?**

**Comments:**

## PART II: QUALITY CRITERIA

Part II of the State Review Panel Feedback Form will be shared with districts/schools.

The Unified Improvement Plan is intended to provide districts/schools with a consistent format to capture and streamline improvement planning efforts that address state and federal planning requirements. To assist with that process, the UIP Quality Criteria offer guidance on creating an improvement plan that incorporates all of the state accountability and ESEA requirements. Quality Criteria are provided for Section III: Narrative on Data Analysis and Root Cause Identification, and Section IV: Action Plans of the Unified Improvement Planning template. The Quality Criteria are the basis for district/school plan reviews and are intended to provide assurance that the UIP, if implemented as written, provides a solid foundation for improvement efforts.

Reviewers are asked to consider each of the Quality Criteria as they review the UIP. However, the purpose of the review is not to “check off” each criterion, but rather to provide meaningful feedback to the school as to whether the plan meets the majority of the Quality Criteria and provides a solid foundation for improvement efforts.

### Summary Reviewer Feedback

|                                                                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> The plan meets critical Quality Criteria and provides a solid foundation for improvement efforts. <i>See comments on the following pages.</i>                               |
| <input type="checkbox"/> Although the plan mostly meets critical Quality Criteria, there are areas where revisions could strengthen improvement efforts. <i>See comments on the following pages.</i> |
| <input type="checkbox"/> Because the plan does not meet critical Quality Criteria, significant revisions are needed to strengthen improvement efforts. <i>See comments on the following pages.</i>   |

## Unified Improvement Plan Quality Criteria State Review Panel Feedback

### Section III: Narrative on Data Analysis and Root Cause Identification

#### Previous Performance Targets, Significant Trends, Performance Challenges, and Root Causes

The previous targets, significant trends, priority needs, and root causes identified in the UIP are expected to meet the criteria overall.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| <p><b>1. Previous Targets:</b> The purpose of this section is to allow the school to identify previous targets and describe progress toward meeting those targets.</p> <p>1a. Targets set in previous year’s plan provided.</p> <p>1b. Progress toward targets described.</p> <p>1c. Meets criteria for Performance Targets. (These criteria can be found in item 6.0.)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>Comments:</b></p> |
| <p><b>2. Significant Trends:</b> Schools are to describe the trends for every performance indicator, identified based on analysis of three years of data.</p> <p>2a. Makes explicit to which performance indicator/sub-indicator the trend applies, and the direction of the trend (e.g., strengths and challenges).</p> <p>2b. Specifies performance indicator areas where the school failed to meet state (i.e., academic achievement, academic growth, academic growth gaps, post-secondary/workforce readiness), federal (e.g., AYP targets), or local performance expectations.</p> <p>2c. Includes analysis of data at a more detailed level than that presented in the SPF report, for example, patterns over time:</p> <ul style="list-style-type: none"> <li>○ for cohorts of students (3<sup>rd</sup> grade in one year, 4<sup>th</sup> grade in the next year, 5<sup>th</sup> grade in the third year);</li> <li>○ within a grade level (per content area, disaggregated group);</li> <li>○ within a disaggregated group of students; and/or</li> <li>○ within a sub-content area (e.g., number sense in mathematics).</li> </ul> <p>2d. Includes analysis of relevant local performance data (interim assessments, etc.).</p> <p>2e. To the degree that data are available, includes analysis of the performance of all students in the School (e.g., preK-2, 11<sup>th</sup> and 12<sup>th</sup>), and includes performance in subjects not tested by the state.</p> | <p><b>Comments:</b></p> |

**3. Performance Challenges:** Schools are to provide specific statements about the school's performance challenges (not budgeting, staffing, curriculum, instruction, etc.), with at least one priority identified for each performance indicator where the school did not meet federal, state and/or local expectations.

- 3a. Priority performance challenges describe the strategic focus for the school considering every sub-indicator for which the school did not meet expectations. *Note: Priority performance challenges do **not** need to be identified for **every** sub-indicator (e.g., math achievement, ELL student growth in reading) for which the school did not meet expectations unless it is a specific program requirement (e.g., grantees on Title III improvement that miss AMAO 3 will need to examine the missed AYP targets for ELL students).*
- 3b. Identifies *at least one* priority performance challenge for every indicator (i.e., achievement, growth, growth gaps, post-secondary/workforce readiness) for which the school did not meet state expectations (e.g., approaching, did not meet on SPF).
- 3c. Specifies priority disaggregated groups. Required for Title I AYP targets or safe-harbor targets as appropriate; recommended for all others.
- 3d. Identifies priority performance challenges based on analysis of performance trends.
- 3e. Specifies needs at a more detailed level than that presented in the SPF report, for example:
- for cohorts of students (3<sup>rd</sup> grade in one year, 4<sup>th</sup> grade in the next year, 5<sup>th</sup> grade in the third year);
  - within a grade level over time (e.g., consistently not meeting expectations in 4<sup>th</sup> grade mathematics for three years);
  - within a disaggregated group of students; and/or
  - within a sub-content area (e.g., number sense in mathematics).

**Comments:**

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| <p><b>4. Root Causes:</b> Schools are to describe the deepest underlying cause, or causes, of performance challenges, that, if dissolved, would result in elimination, or substantial reduction of the performance challenge(s).</p> <p>4a. Identifies one root cause for each priority performance challenge (the same root cause could apply to multiple challenges, and should be listed next to each priority performance challenge to which it applies).</p> <p>4b. Specifies “causes” the school can control (e.g., the school does not provide additional support/interventions for schools on improvement) rather than describing characteristics of students in the schools (e.g., race, poverty, student motivation).</p> <p>4c. Reflects analysis of multiple types of data (in addition to performance data and including local data sources) in the identification and verification of root causes.</p> <p>4d. For schools with performance that does not meet state expectations on a large number, or all, of the performance indicators/sub-indicators, explicitly considers broad, systemic root causes.</p> | <p><b>Comments:</b></p> |
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**5. Data Narrative**

The purpose of the data narrative is to describe the significant trends, priority needs, and root causes of performance concerns and to describe the process through which the school-level planning team identified them. (This section should not include a description of major improvement strategies, action steps, etc.) The narrative should meet the following criteria overall.

- 5a. Reflects that a school team reviewed the performance summary provided in the School Performance Framework (SPF) report, (and Section I of the pre-populated Unified Improvement Planning Template), and specifies where the school did not meet local, state (approaching, does not meet on SPF) and/or federal performance expectations.
- 5b. Reflects that the team reviewed progress towards prior year's performance targets.
- 5c. Identifies what additional performance data (state and local student learning data) were used in the analysis of trends.
  - 5d. Describes trends in data.
  - 5e. Describes priority performance challenges.
  - 5f. Describes the process used to prioritize the performance challenges.
  - 5g. Describes root causes of performance challenges.
- 5h. Describes how root causes were identified and verified with more than one data source (e.g., teacher surveys, classroom observations) and what data were used.
- 5i. Describes stakeholder involvement in plan development (e.g., School Accountability Committee, staff, parents, community members).

**Comments:**

## Section IV: Action Plans

Section IV of the Unified Improvement Plan includes the *School Target Setting Form* and the *Action Planning Form*. The School Target Setting Form includes columns for: priority performance challenges, annual targets for two years, interim measures for the current year and major improvement strategies. There is an Action Planning Form for each major improvement strategy. Schools are to provide: the root cause(s) addressed by the major improvement strategy, action steps, resources, people responsible, timeline and status. Reviewers should look for a logical connection among the elements listed in the columns, as well as a direct connection between the identified performance challenges, the root causes, the major improvement strategies and the action plan steps.

### **School Target Setting Form: 2-year Performance Targets and Interim Measures**

The purpose of the School Target Setting Form is to identify the specific, quantifiable performance outcomes and interim measures that allow the school to determine, both formatively and summatively, whether their improvement efforts are making the desired difference. The targets should meet the following criteria overall.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                         |
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| <p><b>6. Performance Targets (2 years):</b> Schools are to identify specific, quantifiable performance outcomes that define what would constitute success in a performance indicator area within the designated period of time (2011-2013).</p> <p>6a. Specifies priority disaggregated groups for pre-established federal performance indicator targets or identifies safe-harbor targets as appropriate.</p> <p>6b. Specifies ambitious but attainable annual target(s) for every performance indicator area (achievement, growth, growth gaps, and post-secondary/workforce readiness) where the school did not at least meet state expectations, including at least one annual target related to each priority performance challenge. Title I schools are expected to include AYP targets as well.</p> <p>6c. Identifies the group or disaggregated group of students to which the target applies (e.g., 3<sup>rd</sup> grade, English Language Learners).</p> <p>6d. Specifies the measure (e.g., CSAP, CSAPA, Escritura, Lectura, ACT Composite) and metric (e.g., % proficient or advanced, % partially proficient, median student growth percentile, % of students making catch-up growth, % reduction in dropout rate) for which the target is being set.</p> <p>6e. Includes the required state metrics for that performance indicator; targets for additional metrics may also be identified.</p> <p>6f. Sets targets for increasing performance over time in a way that would, at a minimum, result in the school meeting state expectations within five years.</p> <p>6g. Provides specific, actionable targets which may be at the grade or disaggregated group level (e.g., English Language Learners, habitually truant students).</p> <p>6h. May include targets associated with required district performance indicators (e.g., English language attainment and educator quality).</p> | <p><b>Comments:</b></p> |
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| <p><b>7. Interim Measures:</b> Schools are to identify the measure and associated metric of student performance used to assess performance in a specified indicator area, at more than one point during a school year.</p> <p>7a. For each annual target, describes what will be used to measure student performance to monitor progress in reaching the target.</p> <p>7b. Includes only measures that are administered/scored/reported more than once during the school year.</p> <p>7c. Specifies how frequently the data from the measure will be available.</p> <p>7d. Specifies metrics associated with each interim measure (e.g., NWEA RIT Growth scores, Acuity subscale proficiency scores).</p> | <p><b>Comments:</b></p> |
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**8. Major Improvement Strategies:** The Major Improvement Strategies identify an overall approach designed to result in improvement of student performance.

- 8a. Describes an overall research-based approach based on a theory about how performance will improve. There must be evidence that the strategy has previously resulted in improvement in performance, such as that specified by a priority performance challenge.
- 8b. Describes the specific change in practice that will result from the action steps (e.g., not “improve reading instruction,” but “implement formative assessment practices in all 3<sup>rd</sup> - 10<sup>th</sup> grade classrooms during reading instruction”).
- 8c. Explicitly responds to the identified root cause(s).
- 8d. Specifically addresses the needed instructional improvements.

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**Additional State Requirements** (UIPs must address these additional requirements if identified by the program):

**If district has a Turnaround Plan Type, the UIP must include:**

- 8e. At least one of the following approaches is identified:
  - Turnaround Partner
  - School Management
  - Innovation Designation
  - School Management Contract
  - Charter Conversion
  - Restructure Charter
  - School Closure
  - Other Strategy of Comparable or Greater Effect

**Comments:**

**Is the required turnaround strategy identified?**

Yes       No

## ACTION PLANNING WORKSHEET

The purpose of the action planning worksheets is to identify the major improvement strategy(s) that will address the identified root causes and to specify the accountability provision or grant opportunity the strategy addresses. Details should include the specific steps that will be taken to implement the major improvement strategy, a timeline, the resources that will be used to implement the actions, and implementation benchmarks. The action plans should meet the following criteria overall.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |
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| <b>9. Action Steps:</b><br>9a. Describes the specific steps that school personnel will take to implement the major improvement strategy.<br>9b. Describes the specific steps that any external consultants or contractors (if the school is working with them) will take to implement the major improvement strategy.                                                                                                                                                                                                           | <b>Comments:</b> |
| <b>10. Timeline:</b><br>10a. Specifies the month(s) and year when each action step will take place.<br>10b. Identifies a logical sequence of action steps.                                                                                                                                                                                                                                                                                                                                                                      | <b>Comments:</b> |
| <b>11. Key Personnel:</b><br>11a. Describes who will be responsible for implementing the action step(s); may be a position or a role.                                                                                                                                                                                                                                                                                                                                                                                           | <b>Comments:</b> |
| <b>12. Resources:</b><br>12a. Clearly aligns resources with the proposed action step.<br>12b. Must include total funds budgeted for each improvement strategy, including local, state and federal funds.<br>12c. May include: staff time, expertise, external contracts. (e.g., .2FTE of an instructional coach will be devoted to implementing this action step -- Local funds and Title I pay for the position).<br>12d. Specifies the amount (of money and/or time).<br>12e. Specifies the source (e.g., Title I, district). | <b>Comments:</b> |

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| <p><b>13. Implementation Benchmarks:</b> Schools are to identify measures and associated metrics used to assess the degree to which action steps have been implemented. (Note: Not performance measures.)</p> <p>13a. Specifies what will be measured (with associated metrics) and when data will be collected. Note: Implementation benchmarks may be quantitative or qualitative.</p> <p>13b. Describes when implementation benchmarks will be analyzed and interpreted and who will be involved. (Note: Analyzing and interpreting implementation benchmarks and making adjustments to action steps should be included in the action steps.)</p> | <p><b>Comments:</b></p>                                                                                                 |
| <p><b>14. Status:</b> Progress toward action step completion. (Optional, unless directed by a competitive grant program.)</p> <p>14a. Indicates the status of the action step.</p> <p>14b. May include specific information, such as date completed.</p>                                                                                                                                                                                                                                                                                                                                                                                             | <p><b>Comments:</b></p> <p><i>Comments should be specific to the requirements of the competitive grant program.</i></p> |

### School Unified Improvement Plan Reviewer Feedback Form

#### *General Directions*

The Unified Improvement Plan is intended to provide schools with a consistent format to capture and streamline improvement planning efforts that address state and federal planning requirements. To assist with that process, the UIP Quality Criteria offer guidance on creating an improvement plan that incorporates all of the state accountability and federal program requirements. (Checklists for individual program requirements are available on the UIP website at: <http://www.cde.state.co.us/uiip/index.asp>.) Quality Criteria are provided for Section III: Narrative on Data Analysis and Root Cause Identification, and Section IV: Action Plans of the Unified Improvement Planning template. The Quality Criteria are the basis for school plan reviews and are intended to provide assurance that the UIP, if implemented as written, provides a solid foundation for improvement efforts.

#### **Meeting Specific Requirements in the Plan**

All schools are expected to respond to the general indicators.

#### **For Reviewers:**

Reviewers are asked to consider each of the Quality Criteria as they review the UIP. The numbers next to each Quality Criterion provide a reference to the Comment Library. However, the purpose of the review is not to “check off” each criterion, but rather to provide meaningful feedback to the school as to whether the plan meets the majority of the Quality Criteria and provides a solid foundation for improvement efforts.

Note: CDE does not review school level plans for Title IA requirements. It is the districts responsibility to use the Title IA checklists, addendums and quality criteria to ensure all of the Title IA elements are included in the UIP. CDE checks for these components as part of the onsite monitoring process.

|                                                                                           |                                                                                        |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <p><b>School Name of Plan Reviewed:</b></p> <p><b>District Name of Plan Reviewed:</b></p> | <p><b>If you have questions about this feedback, contact your District Office.</b></p> |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|

*Description of state and federal expectations NOT met by the school*

For which performance indicators did the school **NOT** meet state or federal expectations? Check all that apply.

Academic Achievement (Status):       Reading    Math    Writing    Science  
 Academic Growth:                       Reading    Math    Writing  
 Academic Growth Gaps:                 Reading    Math    Writing  
 Post Secondary Readiness:             Graduation Rate    Dropout Rate    Mean ACT

*Description of School's Plan Type under State Accountability*

What plan type has been identified for the school?

Performance    Improvement    Priority Improvement    Turnaround    Other:  
 If turnaround, identifies the required turnaround strategy:  Yes    No

### Summary Reviewer Feedback

The plan meets critical Quality Criteria and provides a solid foundation for improvement efforts. *See comments on the following pages.*

Although the plan mostly meets critical Quality Criteria, there are areas where revisions could strengthen improvement efforts. *See comments on the following pages.*

Because the plan does not meet critical Quality Criteria, significant revisions are needed to strengthen improvement efforts. *See comments on the following pages.*

**Required Changes in the Plan:**

This plan has required changes. The school must make changes to the UIP and submit through Tracker by March 30, 2012 for additional review by CDE to ensure that the changes were adequately addressed. A final UIP must also be submitted through Tracker by April 16, 2012 for public posting on SchoolView.org.

This plan has recommended changes that can help to strengthen the plan. The school is encouraged to address these recommendations, but is not required. CDE will not review this plan again. Remember, however, that the final UIP must be submitted through Tracker again by April 16, 2012 for public posting on SchoolView.org.

## Unified Improvement Plan Quality Criteria Reviewer Feedback

### Section III: Narrative on Data Analysis and Root Cause Identification

#### Previous Performance Targets, Significant Trends, Performance Challenges, and Root Causes

The previous targets, significant trends, priority needs, and root causes identified in the UIP are expected to meet the criteria overall.

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| <p><b>1. Previous Targets:</b> The purpose of this section is to allow the school to identify previous targets and describe progress toward meeting those targets.</p> <p>1a. Targets set in previous year’s plan provided.<br/>         1b. Progress toward targets described.<br/>         1c. Meets criteria for Performance Targets. (These criteria can be found in item 6.0.)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p><b>Comments:</b></p> |
| <p><b>2. Significant Trends:</b> Schools are to describe the trends for every performance indicator, identified based on analysis of three years of data.</p> <p>2a. Makes explicit to which performance indicator/sub-indicator the trend applies, and the direction of the trend (e.g., strengths and challenges).<br/>         2b. Specifies performance indicator areas where the school failed to meet state (i.e., academic achievement, academic growth, academic growth gaps, post-secondary/workforce readiness), federal (e.g., AYP targets), or local performance expectations.<br/>         2c. Includes analysis of data at a more detailed level than that presented in the SPF report, for example, patterns over time:<br/>         o for cohorts of students (3<sup>rd</sup> grade in one year, 4<sup>th</sup> grade in the next year, 5<sup>th</sup> grade in the third year);<br/>         o within a grade level (per content area, disaggregated group);<br/>         o within a disaggregated group of students; and/or<br/>         o within a sub-content area (e.g., number sense in mathematics).<br/>         2d. Includes analysis of relevant local performance data (interim assessments, etc.).<br/>         2e. To the degree that data are available, includes analysis of the performance of</p> | <p><b>Comments:</b></p> |

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| <p>all students in the School (e.g., preK-2, 11<sup>th</sup> and 12<sup>th</sup>), and includes performance in subjects not tested by the state.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                         |
| <p><b>3. Performance Challenges:</b> Schools are to provide specific statements about the school’s performance challenges (not budgeting, staffing, curriculum, instruction, etc.), with at least one priority identified for each performance indicator where the school did not meet federal, state and/or local expectations.</p> <p>3a. Priority performance challenges describe the strategic focus for the school considering every sub-indicator for which the school did not meet expectations. <i>Note: Priority performance challenges do <b>not</b> need to be identified for <b>every</b> sub-indicator (e.g., math achievement, ELL student growth in reading) for which the school did not meet expectations unless it is a specific program requirement (e.g., grantees on Title III improvement that miss AMAO 3 will need to examine the missed AYP targets for ELL students).</i></p> <p>3b. Identifies <i>at least one</i> priority performance challenge for every indicator (i.e., achievement, growth, growth gaps, post-secondary/workforce readiness) for which the school did not meet state expectations (e.g., approaching, did not meet on SPF).</p> <p>3c. Specifies priority disaggregated groups. Required for Title I AYP targets or safe-harbor targets as appropriate; recommended for all others.</p> <p>3d. Identifies priority performance challenges based on analysis of performance trends.</p> <p>3e. Specifies needs at a more detailed level than that presented in the SPF report, for example:</p> <ul style="list-style-type: none"> <li>○ for cohorts of students (3<sup>rd</sup> grade in one year, 4<sup>th</sup> grade in the next year, 5<sup>th</sup> grade in the third year);</li> <li>○ within a grade level over time (e.g., consistently not meeting expectations in 4<sup>th</sup> grade mathematics for three years);</li> <li>○ within a disaggregated group of students; and/or</li> <li>○ within a sub-content area (e.g., number sense in mathematics).</li> </ul> | <p><b>Comments:</b></p> |

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| <p><b>4. Root Causes:</b> Schools are to describe the deepest underlying cause, or causes, of performance challenges, that, if dissolved, would result in elimination, or substantial reduction of the performance challenge(s).</p> <p>4a. Identifies one root cause for each priority performance challenge (the same root cause could apply to multiple challenges, and should be listed next to each priority performance challenge to which it applies).</p> <p>4b. Specifies “causes” the school can control (e.g., the school does not provide additional support/interventions for schools on improvement) rather than describing characteristics of students in the schools (e.g., race, poverty, student motivation).</p> <p>4c. Reflects analysis of multiple types of data (in addition to performance data and including local data sources) in the identification and verification of root causes.</p> <p>4d. For schools with performance that does not meet state expectations on a large number, or all, of the performance indicators/sub-indicators, explicitly considers broad, systemic root causes.</p> | <p><b>Comments:</b></p> |
| <p><b>5. Data Narrative</b><br/>The purpose of the data narrative is to describe the significant trends, priority needs, and root causes of performance concerns and to describe the process through which the school-level planning team identified them. (This section should not include a description of major improvement strategies, action steps, etc.) The narrative should meet the following criteria overall.</p> <p>5a. Reflects that a school team reviewed the performance summary provided in the School Performance Framework (SPF) report, (and Section I of the pre-populated Unified Improvement Planning Template), and specifies where the school did not meet local, state (approaching, does not meet on SPF) and/or federal performance expectations.</p> <p>5b. Reflects that the team reviewed progress towards prior year’s performance targets.</p> <p>5c. Identifies what additional performance data (state and local student learning</p>                                                                                                                                                      | <p><b>Comments:</b></p> |

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| <p>data) were used in the analysis of trends.</p> <p>5d. Describes trends in data.</p> <p>5e. Describes priority performance challenges.</p> <p>5f. Describes the process used to prioritize the performance challenges.</p> <p>5g. Describes root causes of performance challenges.</p> <p>5h. Describes how root causes were identified and verified with more than one data source (e.g., teacher surveys, classroom observations) and what data were used.</p> <p>5i. Describes stakeholder involvement in plan development (e.g., School Accountability Committee, staff, parents, community members).</p> |  |
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**Section IV: Action Plans**

Section IV of the Unified Improvement Plan includes the *School Target Setting Form* and the *Action Planning Form*. The School Target Setting Form includes columns for: priority performance challenges, annual targets for two years, interim measures for the current year and major improvement strategies. There is an Action Planning Form for each major improvement strategy. Schools are to provide: the root cause(s) addressed by the major improvement strategy, action steps, resources, people responsible, timeline and status. Reviewers should look for a logical connection among the elements listed in the columns, as well as a direct connection between the identified performance challenges, the root causes, the major improvement strategies and the action plan steps.

**School Target Setting Form: 2-year Performance Targets and Interim Measures**  
 The purpose of the School Target Setting Form is to identify the specific, quantifiable performance outcomes and interim measures that allow the school to determine, both formatively and summatively, whether their improvement efforts are making the desired difference. The targets should meet the following criteria overall.

|                                                                                                                                                                                                                                                                                                                                                                                                                |                         |
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| <p><b>6. Performance Targets (2 years):</b> Schools are to identify specific, quantifiable performance outcomes that define what would constitute success in a performance indicator area within the designated period of time (2011-2013).</p> <p>6a. Specifies priority disaggregated groups for pre-established federal performance indicator targets or identifies safe-harbor targets as appropriate.</p> | <p><b>Comments:</b></p> |
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| <p>6b. Specifies ambitious but attainable annual target(s) for every performance indicator area (achievement, growth, growth gaps, and post-secondary/workforce readiness) where the school did not at least meet state expectations, including at least one annual target related to each priority performance challenge. Title I schools are expected to include AYP targets as well.</p> <p>6c. Identifies the group or disaggregated group of students to which the target applies (e.g., 3<sup>rd</sup> grade, English Language Learners).</p> <p>6d. Specifies the measure (e.g., CSAP, CSAPA, Escritura, Lectura, ACT Composite) and metric (e.g., % proficient or advanced, % partially proficient, median student growth percentile, % of students making catch-up growth, % reduction in dropout rate) for which the target is being set.</p> <p>6e. Includes the required state metrics for that performance indicator; targets for additional metrics may also be identified.</p> <p>6f. Sets targets for increasing performance over time in a way that would, at a minimum, result in the school meeting state expectations within five years.</p> <p>6g. Provides specific, actionable targets which may be at the grade or disaggregated group level (e.g., English Language Learners, habitually truant students).</p> <p>6h. May include targets associated with required district performance indicators (e.g., English language attainment and educator quality).</p> |                         |
| <p><b>7. Interim Measures:</b> Schools are to identify the measure and associated metric of student performance used to assess performance in a specified indicator area, at more than one point during a school year.</p> <p>7a. For each annual target, describes what will be used to measure student performance to monitor progress in reaching the target.</p> <p>7b. Includes only measures that are administered/scored/reported more than once during the school year.</p> <p>7c. Specifies how frequently the data from the measure will be available.</p> <p>7d. Specifies metrics associated with each interim measure (e.g., NWEA RIT Growth scores, Acuity subscale proficiency scores).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>Comments:</b></p> |



implement the major improvement strategy, a timeline, the resources that will be used to implement the actions, and implementation benchmarks. The action plans should meet the following criteria overall.

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| <p><b>9. Action Steps:</b><br/>                 9a. Describes the specific steps that school personnel will take to implement the major improvement strategy.<br/>                 9b. Describes the specific steps that any external consultants or contractors (if the school is working with them) will take to implement the major improvement strategy.</p>                                                                                                                                                                                                                                                                 | <p><b>Comments:</b></p> |
| <p><b>10. Timeline:</b><br/>                 10a. Specifies the month(s) and year when each action step will take place.<br/>                 10b. Identifies a logical sequence of action steps.</p>                                                                                                                                                                                                                                                                                                                                                                                                                            | <p><b>Comments:</b></p> |
| <p><b>11. Key Personnel:</b><br/>                 11a. Describes who will be responsible for implementing the action step(s); may be a position or a role.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p><b>Comments:</b></p> |
| <p><b>12. Resources:</b><br/>                 12a. Clearly aligns resources with the proposed action step.<br/>                 12b. Must include total funds budgeted for each improvement strategy, including local, state and federal funds.<br/>                 12c. May include: staff time, expertise, external contracts. (e.g., .2FTE of an instructional coach will be devoted to implementing this action step -- Local funds and Title I pay for the position).<br/>                 12d. Specifies the amount (of money and/or time).<br/>                 12e. Specifies the source (e.g., Title I, district).</p> | <p><b>Comments:</b></p> |
| <p><b>13. Implementation Benchmarks:</b> Schools are to identify measures and associated metrics used to assess the degree to which action steps have been implemented. (Note: Not performance measures.)<br/>                 13a. Specifies what will be measured (with associated metrics) and when data will be collected. Note: Implementation benchmarks may be quantitative or qualitative.</p>                                                                                                                                                                                                                           | <p><b>Comments:</b></p> |

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| <p>13b. Describes when implementation benchmarks will be analyzed and interpreted and who will be involved. (Note: Analyzing and interpreting implementation benchmarks and making adjustments to action steps should be included in the action steps.)</p> |  |
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| <p><b>14. Status:</b> Progress toward action step completion. (Optional, unless directed by a competitive grant program.)</p> <p>14a. Indicates the status of the action step.</p> <p>14b. May include specific information, such as date completed.</p> | <p><b>Comments:</b></p> <p><i>Comments should be specific to the requirements of the competitive grant program.</i></p> |
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## Appendix 10

Submitted by the Colorado Department of Education  
January 12, 2012

### EMPHASIS ON GROWTH

The U.S Department of Education asked Colorado to:

*Please address concerns regarding the emphasis on growth in Colorado's proposed differentiated accountability system, including:*

- *The low median growth percentile (MGP) required to earn a meets designation on overall growth and growth gaps. See 2.A.i., 2.A.i.b.*
- *The low weighting of status proficiency (.e.g., in high schools only 15%), combined with the fact that overall achievement points are distributed across four subjects, resulting in minimal attention paid to proficiency, particularly achieving standards in reading and math. See 2.A.i., 2.A.i.a*
- *The over-reliance on normative growth in the proposed system (i.e., comparisons only to other students rather than to standards) leading to annual changes to cut points for performance categories, the perpetual designation of does not meet and exceeds irrespective of improvements or declines in the State, and potentially inaccurate longitudinal reporting of the percent meeting each performance category. see 2.A.i.a., 2.A.i.b*
- *Concerns regarding normative growth, growth to a standard, achievement status, and the rigor of state expectations.*

The following analyses present data from Colorado's system, clearly addressing these issues and showing that the growth levels required to meet expectations are demonstrably rigorous; that achievement status indeed plays a significant role in the state performance frameworks; and that the addition of growth-to-a-standard to the normative growth model creates exactly the sort of tension needed in a system for positive change.<sup>1</sup>

### ACHIEVEMENT STATUS, GROWTH, AND GROWTH-TO-A-STANDARD

Achievement status is well-represented in the Colorado school performance frameworks, although in a greater variety of ways than has been used thus far in state accountability systems. The familiar "percentage of proficient students" calculation makes an independent contribution (25% and 15%, for elementary/middle and high schools respectively) to total framework points for all schools. Additionally, both graduation rate and average composite ACT scores are also achievement status calculations, contributing to a further 35% of post secondary and workforce readiness points that high schools must earn on the frameworks. However, it is perhaps the normative nature of the growth model used by Colorado that creates an impression that achievement status is absent from growth-based calculations.

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<sup>1</sup> Dr. Damian Betebenner and Dr. Scott Marion from the Center for Assessment ([www.nciea.org](http://www.nciea.org)) made significant contributions to the development of the Colorado performance frameworks, the Colorado Growth Model, as well as to the analyses presented here.

As shown in Table 5 (p. 49) of Colorado’s ESEA flexibility application (<http://www.cde.state.co.us/communications/download/ColoradoNCLBWaiverRequest.pdf>), growth and growth gaps indicators on the frameworks are not just composed of normative growth, but also have an adequate growth component based on individual student proficiency that adds the element of achievement status to these ratings as well. In a previous addendum to our ESEA Flexibility application we provided a lengthy explanation of how we calculate growth-to-a-standard, and showed some evidence for that validity of such calculations. We would now like to demonstrate how growth, growth-to-a-standard, and achievement status are related, and how they work together in our accountability system. First, let us examine the relationship among school-level growth, adequate growth, and achievement status. The following analysis shows the pairwise relationships among Median Growth Percentiles (MGP), Adequate Growth Percentiles (AGP) and Achievement (status). The overall analysis was done both for current achievement status (Table 1) as well as for that of the prior year (Table 2). Figure 1 shows scatterplots of some results from the Table 1 analysis – other results are not presented here for the sake of brevity, but are similar in appearance.

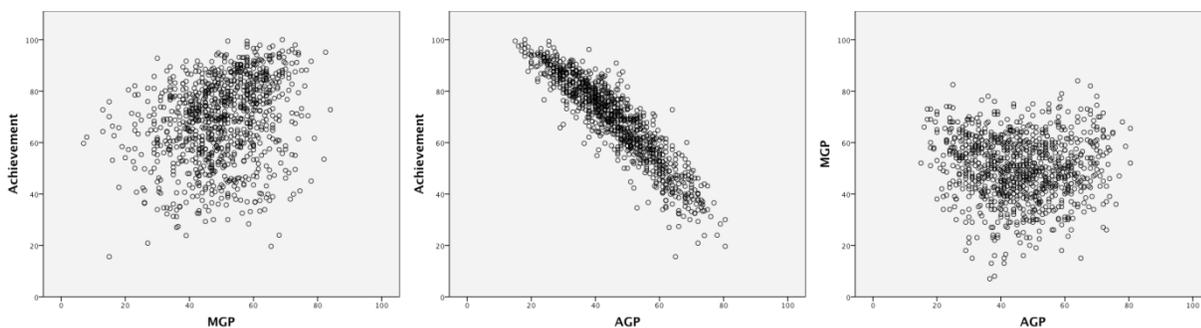
**Table 1. Correlation Matrix Showing Relationships among Current Year Achievement, MGP and AGP**

|                |            | Achievement to MGP | Achievement to AGP | MGP to AGP |
|----------------|------------|--------------------|--------------------|------------|
| <b>Math</b>    | Elementary | 0.266              | -0.916             | -0.051     |
|                | Middle     | 0.460              | -0.918             | -0.172     |
|                | HS         | 0.419              | -0.868             | -0.186     |
| <b>Reading</b> | Elementary | 0.439              | -0.945             | -0.283     |
|                | Middle     | 0.366              | -0.938             | -0.116     |
|                | HS         | 0.389              | -0.905             | -0.113     |

**Table 2. Correlation Matrix Showing Relationships among Prior Year Achievement, MGP and AGP**

|                |            | Achievement to MGP | Achievement to AGP |
|----------------|------------|--------------------|--------------------|
| <b>Math</b>    | Elementary | 0.118              | -0.927             |
|                | Middle     | 0.352              | -0.900             |
|                | HS         | 0.359              | -0.863             |
| <b>Reading</b> | Elementary | 0.319              | -0.953             |
|                | Middle     | 0.275              | -0.917             |
|                | HS         | 0.178              | -0.869             |

Note: MGP to AGP comparisons are not included in this table because values would be identical to those already presented in Table 1.



**Figure 1. Scatterplot comparing elementary schools' MGP and current achievement (left), current achievement and AGP values (center), and MGP and AGP values (right) in the Math content area.**

There are clear patterns in the relationships among the variables investigated.

- The relationship between achievement and growth for all content areas and grade spans (Table 1 leftmost column) is a moderately weak one. This is by design. The Colorado Growth Model was created to portray a different picture of schools than achievement status, by measuring the amount of student learning happening in the school, and not the achievement status result. This relationship is even weaker, as expected, when prior achievement status is used, as shown in Table 2. Figure 1 (left panel) gives an example of the typical correlational pattern.
- There is a strong negative correlation between achievement status and AGP (Table 1, center column). That is, as the average achievement of the school increases, the median AGP decreases. This result makes perfect sense when one considers what AGPs capture: the amount of growth necessary for students to reach or maintain proficiency. Students starting out from low scores have to grow more, and students already achieving high test scores need to grow less. Consequently, schools that have large numbers of students far below proficient will tend to have low achievement status numbers and high AGPs, and vice versa. The strength of this relationship is clear from Figure 1 (center panel). If one knows the achievement status of a school, one practically already knows its AGP.

- Just like the relationship between achievement status and growth, the relationship between MGP and AGP is also very small (Table 1, rightmost column). Again, this demonstrates that normative growth and criterion growth (AGP) are measuring very different, but important, aspects of school performance. The random pattern of the scatterplot in Figure 1 (right panel) illustrates how very different these measures are.

The exact percentage that status achievement contributes to the growth and growth gaps indicators on Colorado’s performance frameworks is not possible to calculate directly, because of the way it is combined with growth. As will be shown in the following analysis, schools that demonstrate very high (or very) low growth get maximum (or minimum) points on the growth indicators in the frameworks regardless of their achievement status (their AGP). However, the great majority of schools fall somewhere in the middle in their growth levels, and the growth point totals that they earn are influenced by how high their AGPs are (or, consequently, by how low their achievement status is).

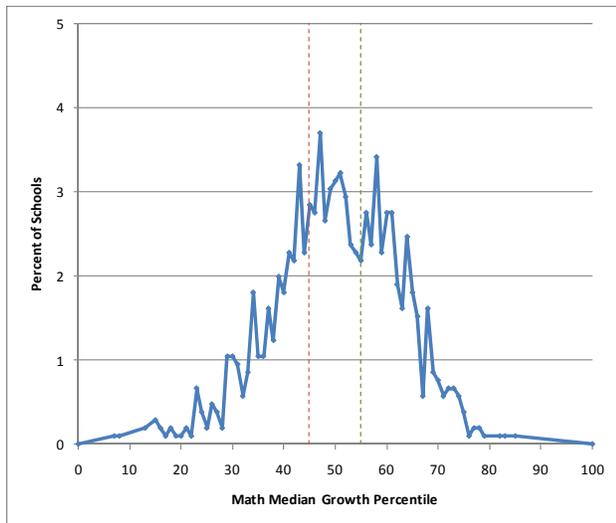
As such, achievement status is represented in all four performance indicators on Colorado’s state performance frameworks, in a nuanced way sensitive to exactly what the important issues are:

- Are a school’s students proficient in this content area?
- Are a school’s students demonstrating growth sufficient to get them to reach or maintain proficiency within a reasonable timeframe?
- Are a school’s students demonstrating college and career readiness by graduating, and by reaching an adequate level of academic achievement on a nationally normed assessment?

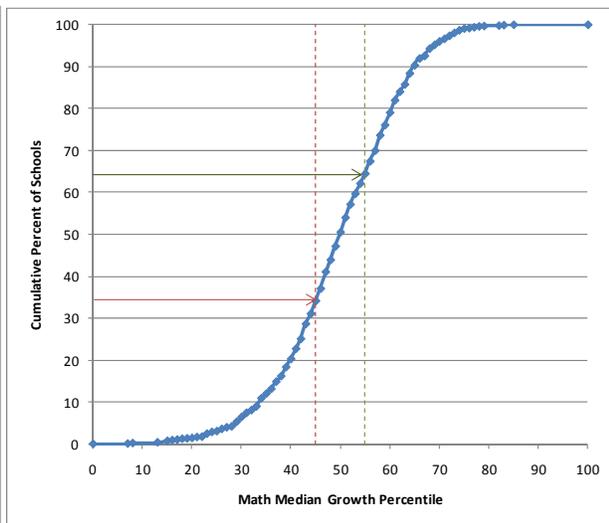
## THE RIGOR OF COLORADO’S GROWTH CUT-SCORES

In the calculation of the performance framework points on growth and growth gaps, cut scores were decided upon for determining if schools and disaggregated student groups were meeting state expectations on Academic Growth and Academic Growth Gaps. How rigorous are these state expectations? Are low-achieving schools simply getting off easy simply due to mediocre results on normative growth? The following analysis looks at these issues.

When individual student growth percentiles are aggregated at the school level, the resulting distribution forms a bell curve. Figure 2 shows the distribution of Elementary schools’ Math MGPs on the current 1-year SPF. The majority of school MGPs cluster around 50, with fewer schools at the more extreme MGPs. Figure 3 shows the same data, but presented as a cumulative density function. The cumulative density function view is useful because it allows us to specify a value along the x axis, and read the percentage of the data that fall at that level or below off the y axis. For example, if we want to see what percentage of schools have MGPs of 30 or lower, we identify the 30 mark on the x axis, move our eyes upward until they hit the function curve, and then read off the corresponding value on the y axis – in this case, it looks like only about 5% of schools have MGPs of 30 or less.

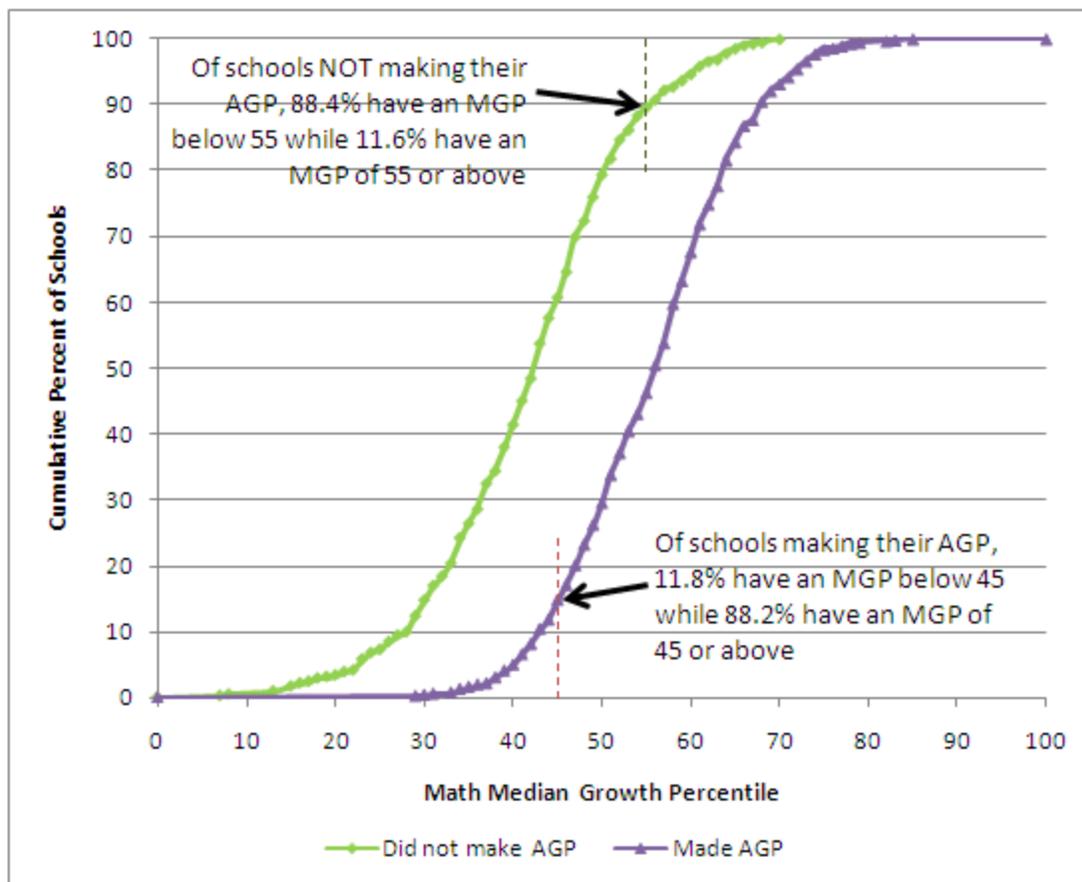


**Figure 2. Distribution of elementary school math MGPs.**



**Figure 3. Cumulative density function of elementary school math MGPs.**

Vertical lines have been inserted into the figures representing the cut-scores required to meet state expectations. Colorado has implemented different expectations in its accountability system, depending on whether a school’s MGP was high enough to hit its adequate growth level. For schools *hitting or exceeding* their adequate growth targets (i.e., showing enough growth for their students to, on average, reach or maintain proficiency for the next three years or by tenth grade), an MGP of 45 is enough to receive a *meets* rating on the performance frameworks (dotted red line). For schools *not hitting* their adequate growth targets, an MGP of 55 is necessary to receive a *meets* rating (shown dotted green line). Where the *meets* cut-scores cross the line representing the density function, you can see the proportion of schools above and below that cut-score. About 33% of schools have MGPs of 45 or less, and 68% have MGPs of 55 or less. Although one might think that an MGP of 55 is just slightly above average, this analysis demonstrates that an MGP of 55 puts a school in the top third for all elementary schools in math growth. Since the MGP required to achieve a *meets* rating differs for schools reaching or not reaching their AGPs, it makes sense to look at each group separately. In Figure 4, the same data behind Figures 2 and 3 are presented separately, according to whether or not a school made its adequate growth target. This analysis gets at the issue of how likely it is that a school got a *meets* rating on growth despite not hitting an adequate growth level. Are poor-performing schools getting off easy with only mediocre growth levels?



**Figure 4. Cumulative density function of elementary school math MGPs: Making AGP vs. Not Making AGP.**

A distinct pattern emerges in Figure 4: Schools not making their AGP (i.e., those with lower-achieving students) tend to have much lower MGPs than schools making their AGP (i.e., those with higher-achieving students). This result is easily seen as the gap between the two function lines across all levels of MGP. For most of the distribution, the MGPs associated with the green line (not making AGP) are about 15 points lower (i.e., further to the left) than those associated with the purple line (making AGP).

First, let us examine schools making their AGP – the less urgent case because their students will on average reach or maintain proficiency for the foreseeable future. As shown in Figure 4 (purple line), the MGP cut-score of 45 for such schools gives 88.2% of such schools a rating of *meets* or above. Since these schools have already achieved their academic achievement goals, they do not need high MGPs to keep their students proficient. For this reason, CDE’s rubric is more lenient in scoring high-achieving schools, while still setting a minimum threshold for meeting state expectations. An MGP below 45 represents rather low growth, and although only 11.8% of schools making their AGP have MGPs lower than 45, these schools need to receive a signal that such low normative growth is not acceptable, even if it means that their students may still squeak by in terms of remaining at proficiency.

Next, let us turn our attention to the lower-performing schools not making their adequate growth targets – the system puts a higher priority on their performance. As shown in Figure 4 (green line), applying the cut-score of 55 to these schools means 88.4% of schools are rated as *approaching or does not meet*, and only

11.6% of schools are rated as *meets*. There is clearly a high standard for performance, given the current state of the system in Colorado, when less than 12% of those schools not hitting their adequate growth targets have high enough growth to earn a *meets* designation.

So, the actual effect of the Colorado scoring rubric is that, when looking at the schools not making AGP, only a small number earn a *meets* rating. Although 55 might seem like a low growth target for schools that are not performing at standard, the small proportion of schools actually attaining this cut demonstrates that the opposite is indeed the case. Low-performing schools making unusually high growth are by far the exception, and they deserve recognition for their accomplishment. Clearly, these are not schools that require a great deal of state scrutiny based on their accountability system results.

Elementary math was chosen as the example above because the two groups, those making AGP and those not making AGP, are similar in size and also because the results are representative of the general trend. Table 3 provides the proportions of schools in each group and score category for all relevant content areas and grade levels.

**Table 3. Percentage of Schools Meeting State Growth Expectations: Making AGP vs. Not Making AGP**

|                |            | Did Not Make AGP |                             |                             | Made AGP     |                             |                             |
|----------------|------------|------------------|-----------------------------|-----------------------------|--------------|-----------------------------|-----------------------------|
|                |            | # of Schools     | % Schools with MGP Below 55 | % Schools with MGP Above 55 | # of Schools | % Schools with MGP Below 45 | % Schools with MGP Above 45 |
| <b>Reading</b> | Elementary | 181              | 94.5                        | 5.5                         | 802          | 16.8                        | 83.2                        |
|                | Middle     | 85               | 90.6                        | 9.4                         | 387          | 18.9                        | 81.1                        |
|                | High       | 45               | 82.2                        | 17.8                        | 283          | 22.3                        | 77.7                        |
| <b>Math</b>    | Elementary | 413              | 88.4                        | 11.6                        | 569          | 11.8                        | 88.2                        |
|                | Middle     | 363              | 78.8                        | 21.2                        | 109          | 2.8                         | 97.2                        |
|                | High       | 287              | 65.2                        | 34.8                        | 41           | 9.8                         | 90.2                        |

As shown in Table 3, in reading across all grade levels, only a very small percentage (5.5-17.8%) of schools not making adequate growth earn a *meets* rating; of schools that are making adequate growth, the majority (77.7-83.2%) earn a *meets* rating. The results for math vary more across grade levels. As described in much greater detail above, a small percentage (11.6%) of elementary schools not making adequate growth in math earn a *meets* rating while the majority (88.2%) of schools making their AGPs earn a *meets* rating. By high school, very few schools make adequate growth, but of those that do, the vast majority (90.2%) earn a *meets* rating. Because most high schools do not make their AGPs, the distribution of MGPs is wider for this group and still includes many with high growth; this results in more than a third of schools (34.8%) earning a *meets* rating on the math growth sub-indicator. Math results for middle school fall in-between the elementary and high school results. The higher proportion of schools not meeting their AGPs results in a sizable percentage (21.2%) of middle schools earning a *meets* rating. Of the remaining schools making their adequate growth targets, nearly all (97.2%) meet state expectations.

Because schools generally not meeting their achievement status targets need to be a focus of the state, the goal for these schools is to begin meeting state expectations as soon as possible. To achieve such a goal, these schools need higher-than-average growth, which motivated CDE to use 55 as the cut-score for a *meets* rating. This cut-score has been demonstrated in the above analysis to be quite demanding – only the top tier growth schools actually get there. And although an MGP of 55 may be far less than a school’s adequate growth target, it is still well above average, and implies that a school is making progress towards higher scores for its students. Colorado stakeholders felt it was important to give schools credit for growth towards the standard, even if that level of performance remains out of reach. Given time, incremental progress can accumulate to noteworthy gains in achievement, and it is important that schools feel motivated to persevere in improvement efforts despite the many obstacles they encounter.

## THE NORMATIVE NATURE OF THE GROWTH MODEL

Although the Colorado Growth Model is normative in its calculation method (as are all value-added models as well), the use of adequate growth pegs the model to the unchanging achievement level cut-scores on the state assessments. The net effect of this anchoring to proficiency standards is to create a metric that is capable of picking up changes in overall state performance across multiple years, despite any changes in the tested population that occurred during that time. If performance in a particular content area is getting better over time statewide, we will see that change manifest itself as lower AGP values, regardless of the fact that a student growth percentile of 50 has taken on the interpretation of a slightly higher level of growth. We already examine these AGP values over time, present them publically, and have a healthy debate regularly among our district and other stakeholders around how the accountability system is working, and how to make it better. It is Colorado’s intention to continue with this process, as well as to investigate further methods for standardizing growth so that positive and negative changes can be detected, and reflected in the accountability system as appropriate.

## CONCLUSION

The previous analyses demonstrate that Colorado is weighting achievement status significantly and thoughtfully in its accountability model, and that its method of using adequate growth provides an exacting standard for low-performing schools to meet. Importantly, Colorado has included adequate growth in a very robust way, sending a strong message that normative growth alone is not sufficient, but that the destination must be kept in mind for growth to lead to proficiency among students. Although reasonable people might disagree about the appropriate weightings of the various indicators, it should be clear to any observer that Colorado’s accountability framework has attempted to strike the right balance in creating tension in the system, communicating high expectations for continuous improvement among all types of schools and districts.