

HB1257\_L.005

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.HB13-1257 be amended as follows:

1 Amend printed bill, page 2, line 3, strike "portion;" and substitute  
2 "portion, (5), and (6);".

3 Page 2, line 5, after "system -" insert "compliance -".

4 Page 3, line 1, after "(1.5)" insert "(a)".

5 Page 3, line 4, after "OWN" insert "LOCAL LICENSED".

6 Page 3, line 7, strike "LOCAL BOARD" and substitute "SCHOOL DISTRICT".

7 Page 3, line 8, strike "DISTINCTIVE" and substitute "LOCAL LICENSED".

8 Page 3, strike lines 9 through 15 and substitute "SYSTEM, THE LOCAL  
9 BOARD OR BOARD OF COOPERATIVE SERVICES OR ANY INTERESTED PARTY  
10 MAY SUBMIT TO THE DEPARTMENT, OR THE DEPARTMENT MAY SOLICIT  
11 AND COLLECT, DATA RELATED TO SAID PERSONNEL EVALUATION SYSTEM  
12 FOR REVIEW BY THE DEPARTMENT.

13 (b) THE DEPARTMENT SHALL MONITOR SCHOOL DISTRICTS' AND  
14 BOARDS OF COOPERATIVE SERVICES' IMPLEMENTATION OF THE  
15 REQUIREMENTS FOR LOCAL LICENSED PERSONNEL EVALUATION SYSTEMS.  
16 IF, UPON INITIAL REVIEW BY THE DEPARTMENT, THE DATA SUBMITTED OR  
17 COLLECTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1.5)  
18 INDICATES THAT A SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES  
19 IS UNABLE TO IMPLEMENT A LOCAL LICENSED PERSONNEL EVALUATION  
20 SYSTEM THAT MEETS THE OBJECTIVES OF THIS ARTICLE, THE DEPARTMENT  
21 SHALL CONDUCT A MORE THOROUGH REVIEW OF THE SCHOOL DISTRICT'S  
22 OR BOARD OF COOPERATIVE SERVICES' PROCESSES AND PROCEDURES FOR  
23 SAID EVALUATION SYSTEM TO ENSURE THAT IT IS PROFESSIONALLY SOUND;  
24 RESULTS IN FAIR, ADEQUATE, AND CREDIBLE EVALUATIONS; SATISFIES THE  
25 QUALITY STANDARDS ESTABLISHED BY RULE OF THE STATE BOARD IN A  
26 MANNER THAT IS APPROPRIATE TO THE SIZE, DEMOGRAPHICS, AND  
27 LOCATION OF THE LOCAL BOARD OR BOARD OF COOPERATIVE SERVICES;  
28 AND IS CONSISTENT WITH THE GOALS, OBJECTIVES, AND INTENT OF THIS  
29 ARTICLE.

30 (c) (I) PURSUANT TO SECTION 22-11-206 (4) (b), IF THE  
31 DEPARTMENT HAS REASON TO BELIEVE THAT A LOCAL LICENSED  
32 PERSONNEL EVALUATION SYSTEM DEVELOPED BY A LOCAL BOARD OR



1 BOARD OF COOPERATIVE SERVICES IS NOT IN SUBSTANTIAL COMPLIANCE  
2 WITH ONE OR MORE OF THE APPLICABLE STATUTORY OR REGULATORY  
3 REQUIREMENTS OF THIS ARTICLE, THE DEPARTMENT SHALL NOTIFY THE  
4 LOCAL BOARD OR BOARD OF COOPERATIVE SERVICES THAT IT HAS NINETY  
5 DAYS AFTER THE DATE OF THE NOTICE TO BRING ITS LOCAL LICENSED  
6 PERSONNEL EVALUATION SYSTEM INTO COMPLIANCE. THE DEPARTMENT  
7 SHALL WORK COLLABORATIVELY WITH THE SCHOOL DISTRICT OR BOARD  
8 OF COOPERATIVE SERVICES DURING THE NINETY DAY PERIOD TO BRING THE  
9 LOCAL LICENSED PERSONNEL EVALUATION SYSTEM INTO COMPLIANCE  
10 WITH THE APPLICABLE STATUTORY OR REGULATORY REQUIREMENTS.

11 (II) IF, AT THE END OF THE NINETY-DAY PERIOD, THE DEPARTMENT  
12 FINDS THAT THE LOCAL LICENSED PERSONNEL EVALUATION SYSTEM IS NOT  
13 SUBSTANTIALLY IN COMPLIANCE WITH THE APPLICABLE STATUTORY OR  
14 REGULATORY REQUIREMENTS, THE DEPARTMENT SHALL DETERMINE THE  
15 APPROPRIATE REMEDIES TO CORRECT THE IDENTIFIED AREAS OF  
16 NONCOMPLIANCE, INCLUDING BUT NOT LIMITED TO:

17 (A) EXTENDING THE TIME FRAME FOR COMPLIANCE;  
18 (B) IMPOSING INTERVENTIONS SPECIFIED IN ARTICLE 11 OF TITLE  
19 22; OR

20 (C) AS A LAST RESORT, REQUIRING THE SCHOOL DISTRICT OR  
21 BOARD OF COOPERATIVE SERVICES TO IMPLEMENT SOME OR ALL OF THE  
22 STATE MODEL SYSTEM. A SCHOOL DISTRICT OR BOARD OF COOPERATIVE  
23 SERVICES SHALL ONLY BE REQUIRED TO IMPLEMENT THOSE ASPECTS OF  
24 THE STATE MODEL SYSTEM THAT ARE DEEMED NECESSARY TO BRING THE  
25 LOCAL LICENSED PERSONNEL EVALUATION SYSTEM INTO COMPLIANCE.

26 (III) IF THE DEPARTMENT DETERMINES THAT THE NONCOMPLIANCE  
27 IS SUBSTANTIAL ENOUGH TO CALL INTO QUESTION THE VALIDITY OF THE  
28 EDUCATOR EVALUATION RATINGS, THE DEPARTMENT MAY TAKE  
29 APPROPRIATE ACTION THAT MAY INCLUDE INVALIDATING THE SCHOOL  
30 DISTRICT'S OR BOARD OF COOPERATIVE SERVICES' EDUCATOR RATINGS FOR  
31 THE EVALUATION CYCLES IN QUESTION.

32 (5) The school district or board of cooperative services licensed  
33 personnel performance evaluation system, processes, and procedures may  
34 MUST be in accord with the guidelines RULES adopted by the state board.  
35 The system shall be developed after consultation with the school district  
36 or board of cooperative services licensed personnel performance  
37 evaluation council created pursuant to section 22-9-107 with regard to the  
38 planning, development, adoption, and implementation of such system, and  
39 said council shall conduct a continuous evaluation of said system.

40 (6) PURSUANT TO SUBSECTION (1.5) OF THIS SECTION, the state  
41 board DEPARTMENT shall approve any school district's or board of



1 cooperative services' existing LOCAL licensed personnel performance  
2 evaluation system and related processes and procedures if TO DETERMINE  
3 WHETHER such system, processes, and procedures are consistent with this  
4 article.

5 SECTION 2. In Colorado Revised Statutes, 22-9-104, repeal (2)  
6 (d) as follows:

7 22-9-104. State board - powers and duties - rules. (2) The state  
8 board shall:

9 (d) ~~Review school district and board of cooperative services~~  
10 ~~processes and procedures for licensed personnel performance evaluation~~  
11 ~~systems to assure that such systems are professionally sound, will result~~  
12 ~~in a fair, adequate, and credible evaluation, and will satisfy quality~~  
13 ~~standards in a manner that is appropriate to the size, demographics, and~~  
14 ~~location of the school district or board of cooperative services, and that~~  
15 ~~is consistent with the purposes of this article, and".~~

16 Renumber succeeding section accordingly.

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