A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://www.leg.state.co.us/billsummaries.)

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

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

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

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

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

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

22-9-106. Local boards of education - duties - performance evaluation system - compliance - rules. (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. A LOCAL BOARD OR BOARD OF COOPERATIVE SERVICES MAY, AT ITS DISCRETION, EXEMPT NATIONAL BOARD CERTIFIED TEACHERS FROM THE ANNUAL REQUIREMENTS OF ITS PERFORMANCE EVALUATION SYSTEM FOR A PERIOD NOT TO EXCEED THREE YEARS. IF A LOCAL BOARD OR BOARD OF COOPERATIVE SERVICES DECIDES TO PROVIDE SUCH AN EXEMPTION, THE TEACHER MUST RETAIN THE RATING HE OR SHE RECEIVED ON HIS OR HER MOST RECENT EVALUATION FOR THE THREE-YEAR EXEMPTION PERIOD. THE TEACHER MAY REQUEST A NEW PERFORMANCE EVALUATION PRIOR TO THE END OF THE THREE-YEAR EXEMPTION PERIOD. IF A TEACHER REQUESTS A NEW PERFORMANCE EVALUATION PRIOR TO THE END OF THE THREE-YEAR EXEMPTION PERIOD, THE RESULTING PERFORMANCE EVALUATION RATING BECOMES THE TEACHER'S NEW ESTABLISHED RATING. In developing the licensed personnel performance evaluation system and any amendments thereto, the local board and board of cooperative services shall comply with the provisions of subsection (1.5) of this section and 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 need not be limited to, the following information:

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

SECTION 3. 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.