

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING ENSURING QUALITY INSTRUCTION THROUGH EDUCATOR EFFECTIVENESS (EQUITEE).

Prime Sponsors: Sens. Johnston and Spence
Reps. Scanlan and Murray

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Summary of Amendments Made to the Bill After the 04/20/10 Legislative Council Staff Fiscal Note Was Prepared (Amended by the Senate Education Committee 04/23/10)

The Senate Education Committee made the following changes to the bill:

- Added definitions for educator, performance standards, and quality standards and made other conforming amendments to definitions;
- Codified the Governor's Council for Educator Effectiveness and renamed it the State Council for Educator Effectiveness (Council), identified the membership of the Council to be appointed by the Governor, and declared its duties;
- Required the State Board of Education (SBE) to review evaluation systems of school boards and BOCES and ensure these systems will satisfy quality standards factoring in the districts' and BOCES' size, demographics, and location;
- Extended the deadline for the Council to provide recommendations to the SBE six months to March 1, 2011 as well as the deadline for the SBE to promulgate rules related to these recommendations and any other unsettled issues six months to September 1, 2011;
- Required and provided the General Assembly authority to review rules promulgated by the SBE in a separate bill and repeal individual rules;
- Required that the measurements of effectiveness recommended by the Council take into consideration diverse factors, including special education, student mobility, and classrooms in which 95 percent of students are at-risk;
- Required that the Council develop a set of performance standards to establish levels of effectiveness and quality standards to measure effectiveness and quality;
- Required that a statewide summative assessment be included as one of the multiple measures used to determine effectiveness, however to accommodate teachers whose subject matter is not assessed in the summative assessment, other measurement tools that offer rigorous and comparable interim assessment results and evidence of student work may be used as measures for this purpose;
- Required the Council to provide the Colorado Department of Education (CDE) the results of the initial year of implementation and testing of the performance evaluation system for the 2012-13 school year by July 1, 2013;
- Inserted a timeline requiring the SBE to promulgate rules reflecting the following deadlines:
 - ▶ SFY 2011-2012: CDE shall work with school districts and BOCES to develop assessments

- ▶ By 2/15/12: the General Assembly, by bill, must review and approve rules promulgated by the SBE
- ▶ SFY 2012-13: the new performance evaluation system must be beta-tested
- ▶ SFY 2013-14: the performance evaluation system will be implemented statewide, and results will be used to determine how teachers acquire probationary or nonprobationary status
- ▶ SFY 2014-15: performance evaluation system will be finalized and results will be used to determine how teachers can both acquire and lose probationary or nonprobationary status;
- Added language requiring that the CDE create and make available a resource bank that identifies assessments, processes, tools, and policies that can be used by school districts and BOCES to develop evaluation systems;
- Created the continuously appropriated Great Teachers and Leaders Fund, which may consist of any private gifts, grants, or donations received for the purposes of implementing the bill;
- Relieved the CDE from implementing requirements made of the Department in the bill unless sufficient moneys are received and credited to the Great Teachers and Leaders Fund and provided the Department authority to hire any employees necessary to implement the provisions of the bill;
- Required performance evaluation systems utilized by local boards of education to address all of the performance standards developed by the Council;
- Eliminated language repealing a listed purpose of local school districts' and BOCES' performance evaluations related to the measurement of satisfactory performance and serving as documentation for an unsatisfactory performance dismissal proceeding;
- Modified repeals of current requirements related to performance evaluations until the new performance evaluation system is implemented statewide;
- Expanded and clarified what information is provided to a teacher or principal whose performance evaluation shows a rating of ineffective, and requires that a nonprobationary teacher who objects to such a rating have an opportunity to appeal their rating to the superintendent;
- Reduced the weighting of the student growth data for principal evaluations from 66 percent to 50 percent;
- Made statute related to the renewal and nonrenewal of probationary teacher contracts not applicable to teachers who have demonstrated effectiveness over three consecutive years once the new statewide evaluation system is implemented;
- Authorized school districts, beginning in SFY 2010-11, to renew probationary or nonprobationary status teacher's contracts or to not renew the contract of a probationary teacher after their third year of employment; and
- Made various conforming and technical amendments to the bill.

These amendments did not change the fiscal impact of the bill as delineated in the Legislative Council Staff Fiscal Note dated April 20, 2010. Legislative Council staff agrees with this assessment.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs **Does Not Concur** **Updated Analysis**

Amendments/Appropriation Status

The bill neither requires nor contains an appropriation clause for FY 2010-11.

Bill Sponsor Amendments

Staff is not aware of any sponsor amendments to be offered.

Points to Consider

The bill creates the new Great Teachers and Leaders Fund, which may consist of any private gifts, grants, or donations received for the purposes of implementing the bill. Moneys in the Fund are continuously appropriated to the Department. To date, no source of funding has been identified to fund the implementation of the bill. Is it likely that any gifts, grants, and donations will be received for this program? If not, is there any reason to create a new cash fund?