



# SKI COUNTRY EDUCATOR

May – June 2010

## Senate Bill 191 is Law! Now What?

Senate Bill 191 (Teacher Effectiveness) was signed into law by Governor Ritter a few days after the legislative session ended. Now what? In the following pages you will read of changes in teacher and principal evaluation that will affect how teachers are granted and retain non-probationary status in Colorado.

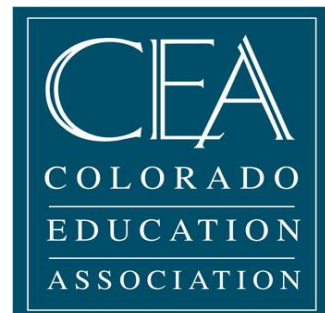
Much of the task of defining teacher effectiveness calls on the Governor's Educator Effectiveness Council. By March of 2011 the Council will make recommendations to the State Board of Education which will in turn promulgate rules using the Council's recommendations and submit them to the Legislature by January of 2012.

The Council will provide recommendations that ensure that every teacher and every principal are evaluated using multiple fair, transparent, timely, rigorous, and valid methods; are afforded meaningful opportunity to improve their effectiveness; and are provided the means to share effective practices with other educators throughout the state.

During the 2012-2013 school year the new evaluation system will be pilot tested; non-probationary teachers will begin to be evaluated annually. In September of 2013 the new system will be fully implemented statewide.

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## **Amazing Ski Country Members**

### **Ski Country Leaders Graduate from CEA Leadership Academy**

**Megan Talbott**, President of the **Roaring Fork Community Education Association** and **Cassie Harrelson**, Secretary Treasurer of the **Eagle County Education Association** recently graduated from the CEA Leadership Academy.

### **Ski Country Members Attend CEA Delegate Assembly**

The following SCUU members attend CEA Delegate Assembly on April 22<sup>nd</sup> – 24<sup>th</sup> representing their respective locals: **Summit County – Mark Clark, Kai Miller, Dylan Nicoletti, and Liz Hughes. Moffat County – Michele Conroy, Julie Sperl, Charlotte Mason, and Bret Sperl. Eagle County – Tanya Caruso, Cassie Harrelson, Meredith Deem, Edgar Arroyo, and Allison Young. Aspen – Caroline Hanson. Steamboat Springs – Babette Dickson. Jackson County – Allan Ward.**

### **Ski Country well represented at NEA Representative Assembly**

The 2010 National Education Association Representative Assembly will be held in New Orleans, Louisiana July 1<sup>st</sup> through the 4<sup>th</sup>. This year we have five delegates from Ski Country UniServ attending the Assembly. They are **Cassie Harrelson** and **Tanya Caruso** from the **Eagle County Education Association**, **Michele Conroy** and **Charlotte Mason** from the **Moffat County Education Association**, and **Babette Dickson** from the **Steamboat Springs Education Association**.

### **Ski Country Members make Legislative Contacts**

Many of our members and leaders in Ski Country UniServ contacted their legislators with concerns on Senate Bill 191. Ski Country Legislators were flooded with phone calls and email messages throughout April and the first week of May with concerns from our members about the ramifications of Senate Bill 191.

**Tanya Caruso**, President of the **Eagle County Education Association** testified to the House Education Committee on May 6<sup>th</sup> in opposition to Senate Bill 191.

## **Governor's Council for Educator Effectiveness**

The work of the Council of Educator Effectiveness is critical and may be considered by some to be an overwhelming task. Luckily we have members of CEA represented on the Council and we also have two of our own in the education community from Ski Country on the Council.

Amie Baca, Kerrie Dallman, and Shelly Genereux are CEA members and Association Leaders from Adams County District 12, the Jefferson County Education Association, and the Brighton Education Association. They are included on the Council of 15 members. Other members of the Council include Sandra Smyser, Superintendent of Schools in Eagle County, and Joanne Baxter, School Board member in Moffat County. Joanne is a retired member of CEA and NEA and a long time active leader in the Moffat County Education Association, Ski Country UniServ, and CEA.

CEA has formed "CEA's Educator Evaluation/Rights Task Force" to meet on a regular basis with the three CEA members on the Council to help advise them as they move through this process. Ski Country Director Dennis Carlson is a member of this Task Force and would very much appreciate any feedback you may have as the Task Force does its work. You will be advised on a regular basis through CEA and Ski Country Communications as well as communications through your local associations as to the work of the Council.

### **Highlights of Senate Bill 191**

The bill includes two new purposes for evaluating licensed personnel: to evaluate the "level of performance based on the effectiveness of licensed personnel," and to use "effectiveness" as the basis for making decisions about hiring, compensation, promotion, assignment, professional development, earning and retaining probationary status, dismissal, and contract nonrenewal.

The bill defines "probationary teacher" as a teacher who has not yet completed three consecutive years of demonstrated effectiveness or as a non-probationary teacher who has had two consecutive years of demonstrated ineffectiveness and returns to probationary status.

The bill requires that at least 50% of a teacher's evaluation is determined by the academic growth of the teacher's students and that each teacher is provided with an opportunity to improve his/her effectiveness through teacher development plans that connects evaluation and performance standards to professional development opportunities.

The Council on Educator effectiveness will define principal and teacher "effectiveness" and its connection to quality standards. The definitions shall be centered on an educator's demonstrated ability to achieve and sustain adequate student growth. They will include a set of skills and competencies related to improved student outcomes. The definition of effectiveness will also include criteria that will be used to differentiate between performance standards which shall

include at least “highly effective,” “effective,” and “ineffective.” The Council will consider whether there should be additional performance standards, and make recommendations for performance standards for each category of licensed personnel, including the criteria to be used when assigning educators to appropriate performance standards.

The Council will recommend a process by which a non-probationary teacher may appeal a second consecutive “ineffective” performance rating and submit this recommendation to the Legislature at its 2012 session.

### **Appeal of an Ineffective Rating:**

All districts shall ensure that a non-probationary teacher who objects to a rating of ineffectiveness has an opportunity to appeal the rating through a fair, transparent process developed where applicable through collective bargaining. At a minimum, the appeal is to the superintendent or designee, but not the principal who conducted the evaluation.

If there is no collective bargaining agreement, the appealing teacher may request a review by a mutually agreed third party (after the superintendent’s review). The teacher has the burden of proving that the rating was inappropriate. The third party shall review whether the decision was arbitrary or capricious and shall be binding on both parties. The financial cost of the review will be shared equally by the district and the teacher. Where there is a collective bargaining agreement, either party (the district or the teacher) can opt into this process.

A teacher who gets a second ineffectiveness rating may appeal the rating through the same process outlined above. This appeal process shall take no longer than 90 days. The teacher is not subject to a possible loss of non-probationary status until after a final determination regarding his/her ineffectiveness rating is made.

### **Remediation:**

If a teacher gets an ineffectiveness rating, he/she shall get a written notice, the documentation used to measure his/her performance, and identification of deficiencies. For non-probationary teachers, a remediation plan shall be developed by the district with professional development opportunities to help the teacher achieve an effective rating on the next evaluation. The non-probationary teacher shall also get a reasonable period of time to remediate the deficiencies, along with a statement of resources and assistance available to him/her. If the next evaluation shows that the teacher is performing effectively, no further action shall be taken regarding the original performance evaluation/ineffectiveness rating.

**Reductions-in-Force (RIF):**

A school district must now use a teacher's effectiveness in determining how it will cancel employment contracts as a result of a decrease in teaching positions. Effective February 15, 2012, the contract or policy shall first consider a teacher's effectiveness, followed by probationary/non-probationary status and the number of years a teacher has taught in the district – and then only if “the contract or policy is in the best interest of the students enrolled in the district.”

**Probationary Teacher Renewal:**

A school district, beginning with the 2010-11 school year, may opt to renew a probationary teacher's contract on either a probationary or non-probationary status or not renew a probationary teacher who has completed his/her third year of employment. This provision will be repealed after the new evaluation system is fully implemented.

A probationary teacher deemed to be performing “satisfactorily” in any of school years 2010-11, 2011-12, and 2012-13 shall be considered to have performed “effectively” during the same year(s). After the new evaluation system has been implemented (2013-14 school year), a district may extend by no more than one year the probationary status of a teacher who has three consecutive satisfactory ratings as of July 2013.

**Portability of non-probationary Status:**

Beginning with the 2014-15 school year, a non-probationary teacher who is employed by one district and subsequently hired by another district may provide to the new district evidence of his/her student academic growth data and the last two years of his/her evaluations. If the two evaluations show effectiveness ratings in good standing, the teacher will be granted non-probationary status in the new district.

**Principal Evaluations:**

Principals will be evaluated annually. Their evaluations will be based on several factors: how well they follow the state evaluation law; at least 50% of the evaluation based the academic growth of the students in the principal's school measured by the Colorado Growth Model; the other factors will be the number and percentage of teachers in the school rated effective or highly effective; number rated ineffective, but improving in effectiveness.

*For a more complete updated Summary go to the following website:*

<http://www.coloradoea.org/atthecapitol/SB191.cfm>

# **CEA Summer Leadership Conference**

**Dream Big for your  
Winning Combination**



July 26-29, 2010  
Copper Mountain Resort, Colorado  
Conference Registration Deadline  
June 11<sup>th</sup>, 2010

*Contact Ski Country UniServ or CEA for Details*