

**DRAFT Rules Concerning the Evaluation of Specialized Service Professionals
July 11, 2013**

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

The statutory basis for the addition of section 4.00 of these rules is found in Colorado Revised Statutes section 22-2-107 (1) (c), section 22-9-104 (2) and section 22-9-105.5 (10), which requires the State Board of Education to promulgate rules concerning performance standards for **each** category of licensed personnel evaluated under the Licensed Personnel Evaluations Act and criteria to be applied in the evaluations. In addition to teachers and principals, the categories of licensed personnel evaluated under the Licensed Personnel Evaluations Act include audiologists, occupational therapists, physical therapists, school counselors, school nurses, school orientation and mobility specialists, school psychologists, school social workers and speech and language pathologists. While these rules outline standards and criteria for the evaluation of these categories of licensed personnel, these rules do not interfere with a local school board's or board of cooperative service's discretion to determine how these ratings will be used for purposes of employment contracts, employee retention, and/or the assignment of probationary or nonprobationary status, if applicable.

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1.00 DEFINITIONS

- 1.18 "Specialized Service Professionals" or "SSPs" means licensed personnel who provide support to teachers and students in areas that involve student physical, emotional, and social health and well-being. They include audiologists, occupational therapists, physical therapists, school counselors, school nurses, school orientation and mobility specialists, school psychologists, school social workers and speech and language pathologists.
- 1.19 "Specialized Service Professionals Quality Standards" means the Professional Practice needed to achieve effectiveness as a specialized service professional.

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4.00 EVALUATION OF SPECIALIZED SERVICE PROFESSIONALS

- 4.01 **Definition of Specialized Service Professional Effectiveness.** Effective SSPs in the state of Colorado have the knowledge and skills necessary to ensure that diverse student populations have equitable access to academic instruction and participation in school-related activities. Effective SSPs develop and/or implement evidence-based services or specially designed instruction to meet the unique needs of their students. They support growth and development to close achievement gaps and prepare students for postsecondary and workforce success. They have a deep understanding of the interconnectedness of the home, school and community and collaborate with all members of the education team to strengthen those connections. Through reflection, advocacy, and leadership, they enhance the outcomes and development of their students.

4.02 **Specialized Service Professionals Quality Standards.** The SSP Quality Standards outline the knowledge and skills required for effective specialized service professional practice and will be used to evaluate SSPs in the state of Colorado. All School Districts and BOCES shall base their evaluations of SSPs on the full set of SSP Quality Standards and associated detailed descriptions of knowledge and skills (also known as “Elements”). School Districts and BOCES shall either adopt the state Quality Standards and Elements or shall adopt a locally-developed set of quality standards and elements that meet or exceed the state standards and elements, as determined by CDE. While there is a single set of SSP Quality Standards which apply to all licensure categories of SSPs, School Districts and BOCES shall ensure that the tools used to evaluate these professionals adequately differentiate the professional practices for each category of SSP.

4.02 (A) **Quality Standard I:** Specialized service professionals demonstrate mastery of and expertise in the domain for which they are responsible.

4.02 (A) (1) **Element a:** Specialized service professionals 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.

4.02 (A) (2) **Element b:** Specialized service professionals demonstrate knowledge of effective services and/or specially designed instruction that reduce barriers to and support learning in literacy, math, and other content areas.

4.02 (A) (3) **Element c:** Specialized service professionals integrate evidence-based practices and research findings into their services and/or specially designed instruction.

4.02 (A) (4) **Element d:** Specialized service professionals demonstrate knowledge of the interconnectedness of home, school, and community influences on student achievement.

4.02 (A) (5) **Element e:** Specialized service professionals demonstrate knowledge of and expertise in their professions.

4.02 (B) **Quality Standard II:** Specialized service professionals support and/or establish safe, inclusive, and respectful learning environments for a diverse population of students.

4.02 (B) (1) **Element a:** Specialized service professionals foster safe and accessible learning environments in which each student has a positive, nurturing relationship with caring adults and peers.

4.02 (B) (2) **Element b:** Specialized service professionals demonstrate respect for diversity within the home, school, and local and global communities.

4.02 (B) (3) **Element c:** Specialized service professionals engage students as unique individuals with diverse backgrounds, interests, strengths, and needs.

4.02 (B) (4) **Element d:** Specialized service professionals engage in proactive, clear, and constructive communication and work collaboratively with students, families, and other significant adults and/or professionals.

- 4.02 (B) (5) **Element e:** Specialized service professionals select, create and/or support accessible learning environments characterized by acceptable student behavior, efficient use of time, and appropriate behavioral strategies.
- 4.02 (C) **Quality Standard III:** Specialized service professionals plan, deliver, and/or monitor services and/or specially designed instruction and/or create environments that facilitate learning for their students.
- 4.02 (C) (1) **Element a:** Specialized service professionals provide services and/or specially designed instruction aligned with state and federal laws, regulations and procedures, academic standards, their districts' organized plans of instruction and the individual needs of their students.
- 4.02 (C) (2) **Element b:** Specialized service professionals utilize multiple sources of data, which include valid informal and/or formal assessments, to inform services and/or specially designed instruction.
- 4.02 (C) (3) **Element c:** Specialized service professionals plan and consistently deliver services and/or specially designed instruction that integrate multiple sources of data to inform practices related to student needs, learning, and progress toward achieving academic standards and individualized student goals.
- 4.02 (C) (4) **Element d:** Specialized service professionals support and integrate appropriate available technology in their services and/or specially designed instruction to maximize student outcomes.
- 4.02 (C) (5) **Element e:** Specialized service professionals establish and communicate high expectations for their students that support the development of critical-thinking, self-advocacy, leadership and problem solving skills.
- 4.02 (C) (6) **Element f:** Specialized service professionals communicate effectively with students.
- 4.02 (C) (7) **Element g:** Specialized service professionals develop and/or implement services and/or specially designed instruction unique to their professions.
- 4.02 (D) **Quality Standard IV:** Specialized service professionals reflect on their practice.
- 4.02 (D) (1) **Element a:** Specialized service professionals demonstrate that they analyze student learning, development, and growth and apply what they learn to improve their practice.
- 4.02 (D) (2) **Element b:** Specialized service professionals link professional growth to their professional goals.
- 4.02 (D) (3) **Element c:** Specialized service professionals respond to complex, dynamic environments.

- 4.02 (E) **Quality Standard V:** Specialized service professionals demonstrate collaboration, advocacy and leadership.
- 4.02 (E) (1) **Element a:** Specialized service professionals collaborate with internal and external stakeholders to meet the needs of students.
 - 4.02 (E) (2) **Element b:** Specialized service professionals advocate for students, families and schools.
 - 4.02 (E) (3) **Element c:** Specialized service professionals demonstrate leadership in their educational setting(s).
 - 4.02 (E) (4) **Element d:** Specialized service professionals contribute knowledge and skills to educational practices and their profession.
 - 4.02 (E) (5) **Element e:** Specialized service professionals demonstrate high ethical standards.
- 4.02 (F) **Quality Standard VI:** Specialized service professionals take responsibility for student outcomes.
- 4.02 (F) (1) **Element a:** Specialized service professionals generate high levels of student outcomes consistent with the requirements of their respective professions.
 - 4.02 (F) (2) **Element b:** Specialized service professionals demonstrate their ability to utilize multiple sources of evidence to evaluate their practice, and make adjustments where needed to continually improve student outcomes.
- 4.03 **Performance Evaluation Ratings for Specialized Service Professionals.** The following four Performance Evaluation Ratings for SSPs shall be used statewide: Ineffective, Partially Effective, Effective, and Highly Effective. A single, common statewide SSP performance scoring framework shall be used to assign both novice and experienced SSPs to one of the four Performance Evaluation Ratings. This scoring framework shall be developed by the Department. While School Districts and BOCES annually must assign a Performance Evaluation Rating to each licensed SSP, School Districts and BOCES have discretion to determine how these ratings will be used for purposes of employment contracts, employee retention, and/or the assignment of probationary or nonprobationary status, if applicable.
- 4.04 **Local School Board Policies and Procedures for Evaluating Specialized Service Professionals.**
- 4.04 (A) School Districts and BOCES shall include a description of their method for evaluating SSPs in the written local system for the evaluation of licensed personnel, described in section 5.01 of these rules. This method shall meet the following criteria:
 - 4.04 (A) (1) School Districts or BOCES shall select evaluation measures for each of the nine licensure categories of SSPs employed by the School District or BOCES, which measures shall reflect varying assignments and job duties;
 - 4.04 (A) (2) The evaluation of SSPs shall incorporate multiple measures to evaluate SSPs against the SSP Quality Standards, which

measures shall be gathered using multiple formats and occasions;

- 4.04 (A) (3) Data used in evaluating SSPs shall be collected from each site at which the SSP provides services;
- 4.04 (A) (4) At least fifty percent of the evaluation shall be based on at least two measures of student outcomes, which measures shall be aligned with the role and duties and the individual SSP being evaluated;
- 4.04 (A) (5) At least one of the evaluation measures shall be an observation by the SSP's supervisor(s) or a trained evaluator with relevant professional expertise. The supervisor(s) is encouraged to consult with the SSP in determining the appropriate approach and timing of the observation, based on the SSP's role and duties;
- 4.04 (A) (6) In addition to an observation, evaluations of SSP's shall be based on at least one of the following performance measures, when appropriate to the SSP's assigned duties: student perception measures, where appropriate and feasible, peer feedback, feedback from parents or guardians, review of student support documentation, and/or any other evidence relevant to the SSP's assigned duties;
- 4.04 (A) (7) School Districts and BOCES shall seek to ensure that measures to evaluate SSPs against the SSP Quality Standards are valid, meaning that the measures are aligned with the academic standards and that analysis and inferences from the measures can be supported by evidence and logic, and that the measures are reliable, meaning that the measures are stable over time and in substance and that data from the measures will be sufficient to warrant reasonably consistent inferences;
- 4.04 (A) (8) In making decisions about how to use data collected about SSP performance, School Districts and BOCES shall consider whether the data collected are better suited for use in a high-stakes evaluation or for the purpose of providing feedback and professional development opportunities for the individual professional, or for both purposes provided they are appropriately weighted. In making this decision, 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;
- 4.04 (A) (9) School Districts and BOCES shall determine how the multiple measures of SSP performance will be aggregated to provide a single rating for professional practice on SSP Quality Standards I-V (professional practice), which will then be combined with a single rating for SSP Quality Standard VI (student outcomes) to determine a final Performance Evaluation Rating. In developing its weighting policies, each School District or BOCES shall ensure that SSP Quality Standards I-V are aggregated in such a way that each standard has a measurable influence on the rating for professional practice. Each School District or BOCES shall

ensure that the weight assigned to each particular measure is consistent with the measure's technical quality and rigor;

4.04 (A) (10) School Districts and BOCES shall ensure that the person or persons responsible for supervising each SSP's work is clearly identified to the SSP at the beginning of each contract year. The supervisor(s) shall be responsible for the SSP's evaluation;

4.04 (A) (11) The supervisor(s) for each SSP shall clearly communicate to the SSP the tools that may be used to measure performance against the SSP Quality Standards prior to their use and the weighting policies that will be used to aggregate data for each SSP Quality Standard into a final Performance Evaluation Rating. Supervisors shall clearly articulate for each SSP the category or categories of personnel into which he or she is assigned. School Districts and BOCES that elect to adopt their own locally-developed set of SSP quality standards shall clearly communicate how those local standards align with the state's SSP Quality Standards. Supervisors shall clearly communicate to SSPs the consequences of each category of Performance Evaluation Rating, including how each SSP's assigned rating contributes to the loss or gain of nonprobationary status for that SSP, if applicable;

4.04 (A) (12) A final Performance Evaluation Rating shall be assigned once a year, using a body of evidence collected systematically in the months prior. School Districts and BOCES shall seek to ensure that the complete body of evidence leads to a valid and reliable measure of each professional's performance against the SSP Quality Standards; and

4.04 (A) (13) Prior to and throughout the evaluation process, the supervisor(s) for each SSP shall engage in professional dialogue with the SSP focused on his/her professional practice and growth for the course of the year.

4.04 (B) School Districts and BOCES are strongly encouraged to involve professionals with relevant expertise in the evaluation of each SSP in his or her first three years of practice, any evaluation of an SSP that will be relied upon for decisions concerning job protection status, and once for every third annual evaluation for all other SSPs. If a School District or BOCES chooses to involve such professionals, the following practices are recommended:

4.04 (B) (1) The participation of such professionals may consist of observations, review of documents or data relevant to the evaluation, interviews with educators, parents, and/or students, and/or any other review that relates to the performance of the SSP and is appropriate and informative for the evaluation of the SSP.

4.04 (B) (2) For each evaluation in which they participate, School Districts and BOCES are encouraged to ensure that such professionals have participated in the one of the trainings in evaluation skills described in section 5.03 (B) of these rules and meet at least one of the following requirements:

- 4.04 (B) (2) (a) a credential and/or license and work experience in the same domain as the SSP being evaluated;
- 4.04 (B) (2) (b) if currently working in the field, a Performance Evaluation Rating of Effective or Highly Effective; and/or
- 4.04 (B) (2) (c) thorough knowledge about professional expectations and responsibilities, aligned to the SSP Quality Standards.
- 4.04 (B) (3) In advance of the SSP's evaluation, the SSP's supervisor is encouraged to establish the role of any expert's participation in the evaluation.
- 4.04 (B) (4) As a part of the expert's participation in the evaluation process, the expert is encouraged to contribute to actionable feedback for the SSP and shall provide the SSP's supervisor(s) with support designed to advance the supervisor(s)'s knowledge of professional expectations and context.
- 4.04 (D) A School District's or BOCES's policies for evaluating SSPs may reflect a determination that different categories of SSPs or SSPs for whom evaluation results will have greater consequences require varying degrees of evaluation and support.
- 4.04 (E) In developing their written local system for the evaluation of licenses personnel, School Districts and BOCES are encouraged to do the following:
 - 4.04 (E) (1) collaborate with SSPs, including representatives of relevant local associations or federations, if they exist, in the selection of the measures to be used for SSP evaluations, to ensure that these measures are relevant and appropriate;
 - 4.04 (E) (2) include an SSP as a member of the School Districts' or BOCES' advisory personnel performance evaluation council and the district advisory council described in section 5.02 of these rules;
 - 4.04 (E) (3) gather student perceptions of their support experiences, not only as a measure of professional practice for purposes of formal evaluation, but also to provide SSPs with ongoing, informal feedback; and
 - 4.04 (E) (4) consult with Principals in determining the role that SSP final Performance Evaluation Ratings will play in a Principal's Performance Evaluation Rating.
- 4.05 **Appeals.** SSPs who receive a second consecutive Performance Evaluation Rating of Ineffective or Partially Effective and who are not employed at an at-will basis may appeal their rating using the process described in section 5.04 of these rules. School Districts and BOCES may choose to, but are not required to, provide this appeal process for SSPs who are employed on an at-will basis.
- 4.06 **Reporting Requirements.** School Districts and BOCES shall submit data, as requested by the Department, to allow the Department to monitor implementation of local personnel evaluation

systems. The required data shall be consistent with the data collected for all Educators, as described in section 6.04(C) of these rules, including the Performance Evaluation Ratings assigned to each SSP and the performance results for SSPs on each of the SSP Quality Standards.

4.07 Supporting Implementation of Local School Board Policies and Procedures for Evaluating Specialized Service Professionals.

4.07 (A) The Department shall develop guidelines, based on research and best practices, that School Districts and BOCES may use for the evaluation of SSPs. These guidelines shall address the following:

- 4.07 (A) (1) the identification of measures of professional practice for SSPs;
- 4.07 (A) (2) the identification of measures of student outcomes appropriate for SSPs, both in terms of the content and attribution of student outcomes to a particular SSP;
- 4.07 (A) (3) the involvement of SSPs, and relevant local association or federations, if they exist, in choosing or developing appropriate measures of student outcomes that match SSP assigned duties; and
- 4.07 (A) (4) determining circumstances by which it is appropriate to use Student Academic Growth data as one of the measures of student outcomes for SSPs.

4.06 (B) The Department shall develop and maintain a resource bank that supports School Districts and BOCES in the design, implementation and ongoing support of their SSP evaluation systems, and that includes a broad array of materials applicable to multiple SSP contexts.

4.06 (C) The Department, in consultation with the State Council, shall develop a model SSP evaluation system that fits within the State Model System described in section 6.01 of these rules.

4.06 (C) (1) The creation of the model SSP evaluation system shall support School Districts and BOCES by providing an exemplar system, rather than requiring each School District and BOCES to develop a system independently. School Districts and BOCES may adopt the model system or develop their own local system. School Districts and BOCES choosing to develop their own system shall adhere to the requirements outlined in section 4.04 of these rules.

4.06 (C) (2) The model SSP evaluation system shall be designed so that it meets the following criteria:

- 4.06 (C) (2) (a) The model system is complete and fully developed, ready for implementation by School Districts and BOCES that choose to use it;
- 4.06 (C) (2) (b) The model system is coherent, in that all components of the system are well connected and well-aligned with one another;

- 4.06 (C) (2) (c) The model system is comprehensive, in that the system over time, services all SSPs;
 - 4.06 (C) (2) (d) The model system is supported, in that the Department provides support for School Districts and BOCES using the system;
 - 4.06 (C) (2) (e) The rollout of the model system will be based on the definition of effectiveness included in section 4.01 of these rules and the SSP Quality Standards; and
 - 4.06 (C) (2) (f) The state model system shall include the following components: an evaluation process; rubrics, tools, and templates differentiated for each of the nine licensure categories; guidelines on measures of student outcomes for each of the nine licensure categories; data management and support; guidelines on implementation support; guidance on professional development; and decision frameworks.
 - 4.06 (C) (3) The model SSP evaluation system shall include rubrics for each category of SSP that accurately reflect distinct professional practices across SSP professions.
 - 4.06 (D) The Department is strongly encouraged to establish a pool of professionals with field expertise who are willing to support the evaluation of SSPs in the manner described in section 4.04 (B) of these rules. School Districts and BOCES may use this pool as a resource if they choose to involve these professionals in the evaluation of SSPs.
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