

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 07-0496.01 Jane Ritter

SENATE BILL 07-140

SENATE SPONSORSHIP

Spence, Wiens, Harvey, Kester, Kopp, McElhany, and Penry

HOUSE SPONSORSHIP

(None),

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A TEACHER IDENTIFIER SYSTEM, AND,**
102 **IN CONNECTION THEREWITH, CREATING THE EFFECTIVE**
103 **TEACHERS COMMISSION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Creates the effective teachers commission in the department of education ("department") to study the teacher gap in Colorado and to develop and implement a unique teacher identifier system by July 1, 2009. Instructs the department to implement the teacher identifier system. Creates the effective teachers fund.

Repeals the commission effective July 1, 2009.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** Title 22, Colorado Revised Statutes, is amended BY
3 THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 68**

5 **Effective Teachers Commission**

6 **22-68-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY
7 BE CITED AS THE "EFFECTIVE TEACHERS ACT".

8 **22-68-102. Legislative declaration.** (1) THE GENERAL
9 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

10 (a) THE EDUCATION OF COLORADO'S CHILDREN IS IMPORTANT TO
11 THE FUTURE OF THE STATE OF COLORADO, AND EACH CHILD IN COLORADO
12 DESERVES A QUALITY EDUCATION. RESEARCH SHOWS THAT QUALITY
13 EDUCATION INCREASES CORRESPONDINGLY WITH TEACHER
14 EFFECTIVENESS.

15 (b) IN ITS DECEMBER 2006 REPORT, THE ALLIANCE FOR QUALITY
16 TEACHING IDENTIFIED A SIGNIFICANT AND WIDENING "TEACHER GAP" THAT
17 IS CORRELATED WITH STUDENT ACHIEVEMENT. THE TEACHER GAP REFERS
18 TO THE PHENOMENON THAT POOR AND MINORITY STUDENTS ARE MORE
19 LIKELY TO BE INSTRUCTED BY LESS-QUALIFIED TEACHERS THAN THEIR
20 MORE AFFLUENT AND WHITE PEERS.

21 (c) RECENT RESEARCH CONFIRMS THAT A COORDINATED AND
22 COMPREHENSIVE STATEWIDE TEACHER DATA SYSTEM IS NECESSARY TO
23 MAKE INFORMED POLICY DECISIONS TO ENHANCE THE EFFECTIVENESS OF
24 TEACHERS. THIS SYSTEM WOULD NOT ONLY TRACK TEACHER
25 DEMOGRAPHIC AND LICENSURE INFORMATION, BUT ALSO HAVE THE

1 ABILITY TO MONITOR CRITICAL FEATURES OF THE TEACHER WORKFORCE,
2 INCLUDING CREDENTIALS, ENDORSEMENTS, QUALIFICATIONS, TURNOVER,
3 PROJECTED SHORTAGES, DISTRIBUTION PATTERNS, AND WORKING
4 CONDITIONS.

5 (d) COLORADO CURRENTLY MAINTAINS THREE SEPARATE
6 STATE-LEVEL DATA SYSTEMS TO TRACK THE EMERGING AND CURRENT
7 TEACHER WORKFORCE. WHILE THIS INFORMATION IS ADEQUATE FOR
8 PROVIDING INFORMATION ABOUT OVERALL TEACHER QUALITY AT A FIXED
9 POINT IN TIME, DUE TO CAPACITY, ACCURACY, COORDINATION, AND
10 ACCESSIBILITY, THE DATA IN THESE SYSTEMS IS INSUFFICIENT TO
11 LONGITUDINALLY ASSESS TEACHER EFFECTIVENESS.

12 (e) THERE IS A CLEAR AND PRESENT NEED TO ENHANCE
13 COLORADO'S EDUCATIONAL DATA SYSTEMS TO PROVIDE POLICYMAKERS
14 WITH THE ACCURATE AND EFFECTIVE DATA REQUIRED TO BEGIN
15 ADDRESSING QUESTIONS ABOUT EFFECTIVE TEACHING AND LEARNING.

16 (f) A NECESSARY FIRST STEP IN MEETING THIS NEED IS THE
17 DEVELOPMENT AND ADOPTION OF A UNIQUE TEACHER IDENTIFIER SYSTEM
18 WITH A WELL-DESIGNED SYSTEM FOR INTEGRATING THE IDENTIFIER INTO
19 EXISTING AND EMERGING DATABASES. THE IDENTIFIER WOULD PROVIDE
20 THE MEANS TO UNDERSTAND THE CONNECTIONS BETWEEN TEACHER
21 TRAINING, TEACHER QUALIFICATIONS, AND STUDENT ACADEMIC GROWTH.

22 (g) THE IDENTIFIER SYSTEM AND EXISTING AND EMERGING
23 DATABASES MUST BE DESIGNED AND INTEGRATED IN SUCH A WAY TO
24 ADEQUATELY AND SATISFACTORILY BALANCE PROTECTIONS FOR
25 TEACHERS WHILE STILL PROVIDING BENEFICIAL INFORMATION TO
26 POLICYMAKERS.

27 (2) THE GENERAL ASSEMBLY THEREFORE FINDS THAT IT IS IN THE

1 BEST INTERESTS OF THE CITIZENS OF THE STATE OF COLORADO TO CREATE
2 A COMMISSION TO DEVELOP AND IMPLEMENT A UNIQUE TEACHER
3 IDENTIFIER SYSTEM THAT WOULD BE INTEGRATED WITH EXISTING AND
4 EMERGING EDUCATIONAL DATABASES. THE COMMISSION SHALL ALSO
5 STUDY THE TEACHER GAP AND FIND WAYS TO EFFECTIVELY RESOLVE IT
6 FOR THE BETTERMENT OF THE CHILDREN OF COLORADO.

7 **22-68-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

9 (1) "COMMISSION" MEANS THE EFFECTIVE TEACHER COMMISSION
10 CREATED PURSUANT TO SECTION 22-68-104.

11 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
12 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

13 (3) "FUND" MEANS THE EFFECTIVE TEACHERS FUND CREATED IN
14 SECTION 22-68-105.

15 (4) "IDENTIFIER" MEANS A UNIQUE TEACHER IDENTIFIER AS
16 DEVELOPED AND IMPLEMENTED BY THE COMMISSION PURSUANT TO
17 22-68-104.

18 (5) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
19 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
20 STATE CONSTITUTION.

21 (6) "TEACHER" MEANS A PERSON WHO HOLDS AN ALTERNATIVE, AN
22 INITIAL, OR A PROFESSIONAL TEACHER LICENSE ISSUED PURSUANT TO THE
23 PROVISIONS OF ARTICLE 60.5 OF THIS TITLE AND WHO IS EMPLOYED BY A
24 SCHOOL DISTRICT OR A CHARTER SCHOOL TO INSTRUCT, DIRECT, OR
25 SUPERVISE AN INSTRUCTIONAL PROGRAM.

26 (7) "TEACHER GAP" MEANS THE DOCUMENTED PHENOMENON THAT
27 A POOR OR MINORITY STUDENT IS MORE LIKELY TO BE TAUGHT BY A

1 LESS-QUALIFIED TEACHER THAN HIS OR HER MORE AFFLUENT OR WHITE
2 PEERS.

3 **22-68-104. Effective teacher commission - creation -**
4 **membership - duties.** (1) THERE IS HEREBY CREATED IN THE
5 DEPARTMENT THE EFFECTIVE TEACHER COMMISSION. THE COMMISSION
6 SHALL HAVE THE FOLLOWING GOALS:

7 (a) TO EXAMINE THE TEACHER GAP IN COLORADO TO DETERMINE
8 WHY IT EXISTS, WHY IT IS WIDENING, AND HOW IT DIRECTLY AFFECTS
9 STUDENT ACHIEVEMENT;

10 (b) TO GATHER FROM SCHOOL DISTRICTS DATA CONCERNING
11 POLICIES AND PRACTICES THAT HAVE BEEN FOUND TO BE EFFECTIVE IN
12 REDUCING THE TEACHER GAP IN EACH SCHOOL DISTRICT AND, ON THE
13 BASIS OF THE DATA, TO MAKE SPECIFIC RECOMMENDATIONS FOR REDUCING
14 THE TEACHER GAP STATEWIDE; AND

15 (c) TO DEVELOP AN IDENTIFIER PROTOCOL AND A STRUCTURE FOR
16 INTEGRATING THE IDENTIFIER INTO THE STATE'S EXISTING AND EMERGING
17 EDUCATIONAL DATABASES TO IMPROVE DATA QUALITY AND INCREASE THE
18 KNOWLEDGE BASE REGARDING TEACHING AND ITS RELATIONSHIP WITH
19 STUDENT LEARNING.

20 (2) (a) THE COMMISSION SHALL CONSIST OF THIRTEEN MEMBERS
21 TO BE APPOINTED BY THE GOVERNOR ON OR BEFORE JULY 1, 2007. NO
22 MORE THAN SEVEN OF THE MEMBERS APPOINTED TO THE COMMISSION
23 SHALL BE OF THE SAME POLITICAL PARTY. THE COMMISSION SHALL
24 CONSIST OF THE FOLLOWING MEMBERSHIP:

- 25 (I) ONE REPRESENTATIVE FROM THE STATE BOARD;
- 26 (II) ONE REPRESENTATIVE FROM THE DEPARTMENT;
- 27 (III) ONE REPRESENTATIVE FROM THE COLORADO COMMISSION ON

1 HIGHER EDUCATION;

2 (IV) ONE REPRESENTATIVE FROM THE GOVERNOR'S OFFICE;

3 (V) ONE REPRESENTATIVE FROM A STATEWIDE MEMBERSHIP

4 ORGANIZATION THAT REPRESENTS TEACHERS;

5 (VI) ONE REPRESENTATIVE FROM A STATEWIDE ORGANIZATION

6 THAT REPRESENTS SCHOOL EXECUTIVES;

7 (VII) ONE REPRESENTATIVE FROM A STATEWIDE ORGANIZATION

8 THAT REPRESENTS SCHOOL DISTRICT BOARDS OF EDUCATION;

9 (VIII) ONE REPRESENTATIVE FROM SCHOOL DISTRICTS;

10 (IX) TWO TEACHERS;

11 (X) ONE PARENT OF A STUDENT ENROLLED IN A PUBLIC SCHOOL;

12 (XI) ONE REPRESENTATIVE FROM AN EDUCATION POLICY OR

13 ADVOCACY GROUP; AND

14 (XII) ONE REPRESENTATIVE FROM AN EXISTING COUNCIL WHOSE

15 MEMBERS ARE DEANS OF EDUCATION.

16 (b) THE COMMISSIONERS SHALL SERVE WITHOUT COMPENSATION

17 BUT SHALL BE REIMBURSED OUT OF AVAILABLE APPROPRIATIONS FOR

18 ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF

19 THEIR DUTIES.

20 (c) THE FIRST MEETING OF THE COMMISSION SHALL OCCUR ON OR

21 BEFORE AUGUST 1, 2007. SUBSEQUENT MEETING SCHEDULES SHALL BE

22 DETERMINED BY THE COMMISSION. AT THE FIRST MEETING OF THE

23 COMMISSION, THE COMMISSIONERS SHALL ELECT A CHAIRPERSON AND A

24 VICE-CHAIRPERSON FROM THE MEMBERSHIP.

25 (3) THE COMMISSION SHALL FUNCTION FOR A TWO-YEAR PERIOD.

26 ON OR BEFORE AUGUST 1, 2008, AND ON OR BEFORE AUGUST 1 EACH YEAR

27 THEREAFTER, THE COMMISSION SHALL REPORT THE OUTCOMES OF ITS

1 DUTIES TO THE EDUCATION COMMITTEES OF THE HOUSE OF
2 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

3 (4) THE COMMISSION'S DUTIES FOR THE FIRST YEAR SHALL
4 INCLUDE, AT A MINIMUM:

5 (a) PERFORMING A DETAILED EXAMINATION OF THE TEACHER GAP
6 AT THE STATE, SCHOOL DISTRICT, AND SCHOOL LEVELS; AND

7 (b) CREATING A WELL-DESIGNED POLICY FOR ESTABLISHING AN
8 IDENTIFIER PROTOCOL. IN DESIGNING THE IDENTIFIER PROTOCOL, THE
9 COMMISSION SHALL CONSIDER THE FOLLOWING:

10 (I) CLEAR PARAMETERS FOR WHERE THE IDENTIFIER WILL BE
11 HOUSED, HOW IT WILL OPERATE, WHAT DATA WILL BE COLLECTED, AND
12 HOW DATA WILL BE ACCESSED AND DISSEMINATED;

13 (II) HOW TO INTEGRATE THE IDENTIFIER INTO EXISTING AND
14 EMERGING DATA SYSTEMS AS SEAMLESSLY AS POSSIBLE WHILE
15 CONSIDERING CAPACITY, PERSONNEL, FISCAL, AND RESOURCE CONDITIONS;

16 (III) HOW TO ADEQUATELY BALANCE PROTECTIONS FOR TEACHERS
17 WHILE STILL PROVIDING THE BENEFITS OF IMPROVED TEACHER QUALITY
18 AND SATISFACTION AND ENHANCED STUDENT LEARNING; AND

19 (IV) HOW TO CREATE A PROCESS TO PILOT THE IDENTIFIER
20 PROTOCOL DURING THE COMMISSION'S SECOND YEAR SO IT CAN STUDY ITS
21 OPERATION BEFORE FULL IMPLEMENTATION.

22 (5) THE COMMISSION'S DUTIES FOR THE SECOND YEAR SHALL
23 INCLUDE, AT A MINIMUM:

24 (a) CONTINUING TO GATHER AND STUDY INFORMATION ON THE
25 TEACHER GAP, INCLUDING SUCCESSES AND SETBACKS IN ADDRESSING AND
26 REDUCING THE TEACHER GAP;

27 (b) MAKING POLICY RECOMMENDATIONS TO THE GENERAL

1 ASSEMBLY FOR REDUCING THE TEACHER GAP IN THE SHORT-TERM AND
2 ELIMINATING THE TEACHER GAP IN THE LONG-TERM;

3 (c) MONITORING A PILOT IDENTIFIER PROTOCOL AND MAKING
4 RECOMMENDATIONS FOR REMOVING SYSTEM DEFICIENCIES, IMPROVING
5 THE SYSTEM, AND PREPARING FOR A STATEWIDE IMPLEMENTATION OF AN
6 IDENTIFIER SYSTEM; AND

7 (d) BY THE END OF THE SECOND YEAR, HAVING A STATEWIDE
8 IDENTIFIER SYSTEM READY FOR IMPLEMENTATION.

9 (6) WITHIN THE FIRST YEAR, THE COMMISSION SHALL RECOMMEND
10 TO THE DEPARTMENT A PILOT IDENTIFIER PROTOCOL, WHICH THE
11 DEPARTMENT SHALL IMPLEMENT. AT THE COMPLETION OF THE SECOND
12 YEAR, BASED ON THE FURTHER RECOMMENDATIONS OF THE COMMISSION,
13 THE DEPARTMENT SHALL IMPLEMENT THE IDENTIFIER PROTOCOL
14 STATEWIDE.

15 **22-68-105. Effective teachers fund - creation.** THE COMMISSION
16 IS HEREBY AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR
17 DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS
18 ARTICLE, INCLUDING GIFTS, GRANTS, OR DONATIONS THAT INCLUDE
19 STATED CONDITIONS OF USE; EXCEPT THAT A GIFT, GRANT, OR DONATION
20 SHALL NOT BE ACCEPTED IF THE CONDITIONS ATTACHED TO THE GIFT,
21 GRANT, OR DONATION REQUIRE ITS EXPENDITURE IN A MANNER CONTRARY
22 TO LAW. ALL PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GIFTS,
23 GRANTS, OR DONATIONS SHALL BE TRANSMITTED TO THE STATE
24 TREASURER, WHO SHALL CREDIT THE SAME TO THE EFFECTIVE TEACHERS
25 FUND, WHICH FUND IS HEREBY CREATED. THE FUND SHALL ALSO CONSIST
26 OF ANY MONEYS THAT MAY BE APPROPRIATED TO THE FUND BY THE
27 GENERAL ASSEMBLY. THE MONEYS IN THE FUND SHALL BE SUBJECT TO

1 ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE
2 DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE
3 IMPLEMENTATION OF THIS ARTICLE. ANY MONEYS IN THE FUND NOT
4 EXPENDED FOR THE PURPOSE OF THIS ARTICLE MAY BE INVESTED BY THE
5 STATE TREASURER AS PROVIDED BY LAW. THE COMMISSION MAY EXPEND
6 UP TO ONE PERCENT OF THE MONEYS ANNUALLY APPROPRIATED FROM THE
7 FUND TO OFFSET THE DOCUMENTED COSTS INCURRED IN MEETING ITS
8 DUTIES UNDER THIS ARTICLE. ALL INTEREST AND INCOME DERIVED FROM
9 THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE
10 CREDITED TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL
11 UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN
12 IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE
13 GENERAL FUND OR ANY OTHER FUND.

14 **22-68-106. Repeal.** THIS ARTICLE IS REPEALED, EFFECTIVE JULY
15 1, 2009.

16 **SECTION 2. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.