



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 22-0660 **Date:** February 14, 2022
Prime Sponsors: Sen. Story **Bill Status:** Senate Education
Rep. Froelich; McLachlan **Fiscal Analyst:** Anna Gerstle | 303-866-4375
Anna.Gerstle@state.co.us

Bill Topic: **LEARNING DISRUPTION EFFECT ON TEACHER EVALUATION**

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> School District

The bill prohibits a school district or BOCES from considering student academic growth measures in personnel performance evaluations in years in which instruction is disrupted due to a disaster emergency, with some exceptions. The bill increases state and school district expenditures.

Appropriation Summary: For FY 2022-23, the bill requires an appropriation of \$29,375 to the Colorado Department of Education.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Table 1
State Fiscal Impacts Under SB 22-069

		Budget Year FY 2022-23	Out Year FY 2023-24
Revenue		-	-
Expenditures	General Fund	\$29,375	-
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$4,406	-

Summary of Legislation

With some exceptions, this bill prohibits a school district or board of cooperative educational services (BOCES) from considering student academic growth measures in personnel performance evaluations in years when instruction is disrupted due to a disaster emergency. The district or BOCES must not resume using student academic growth measures for two consecutive years without any disruption in instruction. Academic measures in the second year without a disruption may be used to establish a baseline for academic growth and performance.

The bill defines disruption in instruction as an unscheduled interruption of any length to the full-time in-person delivery, the requirement to wear masks in the classroom, or the requirement to socially distance, should they occur as a result of a disaster emergency.

Background

Under current law, all licensed educators must be evaluated annually. Districts and BOCES may use the state model performance evaluation system (COPMS) or develop a local evaluation system that meets state requirements. Fifty percent of the evaluation must be based on quality standards set by the SBE, and 50 percent of teacher and principal evaluation must be based on student academic growth. For the 2020-21 school year, evaluation ratings for licensed personnel did not include consideration of student academic growth or other student performance measures.

State Expenditures

The bill increases state General Fund expenditures for CDE by \$29,375 in FY 2022-23 only. Costs are required to update the COPMS system and district data collection system. Modifications to COPMS to eliminate student academic growth measures in certain instances are estimated at \$20,000, including changes to settings used by school districts and BOCES, final evaluations, and summative reports. Changes to the data collection system to allow for the flexibility in the bill are estimated at \$9,375, reflecting 78 hours at a cost of \$125 per hour.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by \$4,406 in FY 2022-23, which will decrease the amount of General Fund available for other purposes.

School District

The bill increases one-time costs for school districts to adjust their performance evaluation systems, provide training to evaluators, and communicate changes to personnel. One mid-sized school district estimated that costs may be up to \$50,000; however, actual costs will vary by district, as some districts use the state model performance evaluation system and others have developed their own evaluation systems. COPMS is currently used by 148 school districts, 19 charter schools, and 13 BOCES.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State Appropriations

In FY 2022-23, the bill requires a General Fund appropriation of \$29,375 to the Colorado Department of Education.

State and Local Government Contacts

Education School Districts