



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB4256

Introduced 1/5/2022, by Rep. Tony McCombie - Thomas M. Bennett

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/24A-5	from Ch. 122, par. 24A-5
105 ILCS 5/24A-7	from Ch. 122, par. 24A-7
105 ILCS 5/24A-15	

Amends the Employment of Teachers Article of the School Code. In provisions related to the content of evaluation plans, allows a school district to waive, for the 2021-2022 and 2022-2023 school years only, the evaluation requirement of any teacher in contractual continued service whose performance during the last school year in which the teacher was evaluated was rated as either "excellent" or "proficient". In regard to rules adopted by the State Board of Education concerning educator evaluations, for the 2021-2022 and 2022-2023 school years only, provides that factors related to methods of measuring student growth may not be used in any educator evaluation. In regard to the development of an evaluation plan for principals and assistant principals, allows a school district to waive, for the 2021-2022 and 2022-2023 school years only, the evaluation requirement of any principal or assistant principal whose performance during the last school year in which the teacher was evaluated was rated as either "excellent" or "proficient". Effective immediately.

LRB102 21733 CMG 30852 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections  
5 24A-5, 24A-7, and 24A-15 as follows:

6 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

7 (Text of Section before amendment by P.A. 102-252)

8 Sec. 24A-5. Content of evaluation plans. This Section  
9 does not apply to teachers assigned to schools identified in  
10 an agreement entered into between the board of a school  
11 district operating under Article 34 of this Code and the  
12 exclusive representative of the district's teachers in  
13 accordance with Section 34-85c of this Code.

14 Each school district to which this Article applies shall  
15 establish a teacher evaluation plan which ensures that each  
16 teacher in contractual continued service is evaluated at least  
17 once in the course of every 2 school years.

18 By no later than September 1, 2012, each school district  
19 shall establish a teacher evaluation plan that ensures that:

20 (1) each teacher not in contractual continued service  
21 is evaluated at least once every school year; and

22 (2) each teacher in contractual continued service is  
23 evaluated at least once in the course of every 2 school

1 years. However, any teacher in contractual continued  
2 service whose performance is rated as either "needs  
3 improvement" or "unsatisfactory" must be evaluated at  
4 least once in the school year following the receipt of  
5 such rating.

6 For the 2021-2022 and 2022-2023 school years only, a  
7 school district may waive the evaluation requirement of any  
8 teacher in contractual continued service whose performance was  
9 rated as either "excellent" or "proficient" during the last  
10 school year in which the teacher was evaluated under this  
11 Section.

12 Notwithstanding anything to the contrary in this Section  
13 or any other Section of the School Code, a principal shall not  
14 be prohibited from evaluating any teachers within a school  
15 during his or her first year as principal of such school. If a  
16 first-year principal exercises this option in a school  
17 district where the evaluation plan provides for a teacher in  
18 contractual continued service to be evaluated once in the  
19 course of every 2 school years, then a new 2-year evaluation  
20 plan must be established.

21 The evaluation plan shall comply with the requirements of  
22 this Section and of any rules adopted by the State Board of  
23 Education pursuant to this Section.

24 The plan shall include a description of each teacher's  
25 duties and responsibilities and of the standards to which that  
26 teacher is expected to conform, and shall include at least the

1 following components:

2 (a) personal observation of the teacher in the  
3 classroom by the evaluator, unless the teacher has no  
4 classroom duties.

5 (b) consideration of the teacher's attendance,  
6 planning, instructional methods, classroom management,  
7 where relevant, and competency in the subject matter  
8 taught.

9 (c) by no later than the applicable implementation  
10 date, consideration of student growth as a significant  
11 factor in the rating of the teacher's performance.

12 (d) prior to September 1, 2012, rating of the  
13 performance of teachers in contractual continued service  
14 as either:

15 (i) "excellent", "satisfactory" or  
16 "unsatisfactory"; or

17 (ii) "excellent", "proficient", "needs  
18 improvement" or "unsatisfactory".

19 (e) on and after September 1, 2012, rating of the  
20 performance of all teachers as "excellent", "proficient",  
21 "needs improvement" or "unsatisfactory".

22 (f) specification as to the teacher's strengths and  
23 weaknesses, with supporting reasons for the comments made.

24 (g) inclusion of a copy of the evaluation in the  
25 teacher's personnel file and provision of a copy to the  
26 teacher.

1 (h) within 30 school days after the completion of an  
2 evaluation rating a teacher in contractual continued  
3 service as "needs improvement", development by the  
4 evaluator, in consultation with the teacher, and taking  
5 into account the teacher's on-going professional  
6 responsibilities including his or her regular teaching  
7 assignments, of a professional development plan directed  
8 to the areas that need improvement and any supports that  
9 the district will provide to address the areas identified  
10 as needing improvement.

11 (i) within 30 school days after completion of an  
12 evaluation rating a teacher in contractual continued  
13 service as "unsatisfactory", development and commencement  
14 by the district of a remediation plan designed to correct  
15 deficiencies cited, provided the deficiencies are deemed  
16 remediable. In all school districts the remediation plan  
17 for unsatisfactory, tenured teachers shall provide for 90  
18 school days of remediation within the classroom, unless an  
19 applicable collective bargaining agreement provides for a  
20 shorter duration. In all school districts evaluations  
21 issued pursuant to this Section shall be issued within 10  
22 days after the conclusion of the respective remediation  
23 plan. However, the school board or other governing  
24 authority of the district shall not lose jurisdiction to  
25 discharge a teacher in the event the evaluation is not  
26 issued within 10 days after the conclusion of the

1           respective remediation plan.

2           (j) participation in the remediation plan by the  
3 teacher in contractual continued service rated  
4 "unsatisfactory", an evaluator and a consulting teacher  
5 selected by the evaluator of the teacher who was rated  
6 "unsatisfactory", which consulting teacher is an  
7 educational employee as defined in the Educational Labor  
8 Relations Act, has at least 5 years' teaching experience,  
9 and a reasonable familiarity with the assignment of the  
10 teacher being evaluated, and who received an "excellent"  
11 rating on his or her most recent evaluation. Where no  
12 teachers who meet these criteria are available within the  
13 district, the district shall request and the applicable  
14 regional office of education shall supply, to participate  
15 in the remediation process, an individual who meets these  
16 criteria.

17           In a district having a population of less than 500,000  
18 with an exclusive bargaining agent, the bargaining agent  
19 may, if it so chooses, supply a roster of qualified  
20 teachers from whom the consulting teacher is to be  
21 selected. That roster shall, however, contain the names of  
22 at least 5 teachers, each of whom meets the criteria for  
23 consulting teacher with regard to the teacher being  
24 evaluated, or the names of all teachers so qualified if  
25 that number is less than 5. In the event of a dispute as to  
26 qualification, the State Board shall determine

1 qualification.

2 (k) a mid-point and final evaluation by an evaluator  
3 during and at the end of the remediation period,  
4 immediately following receipt of a remediation plan  
5 provided for under subsections (i) and (j) of this  
6 Section. Each evaluation shall assess the teacher's  
7 performance during the time period since the prior  
8 evaluation; provided that the last evaluation shall also  
9 include an overall evaluation of the teacher's performance  
10 during the remediation period. A written copy of the  
11 evaluations and ratings, in which any deficiencies in  
12 performance and recommendations for correction are  
13 identified, shall be provided to and discussed with the  
14 teacher within 10 school days after the date of the  
15 evaluation, unless an applicable collective bargaining  
16 agreement provides to the contrary. These subsequent  
17 evaluations shall be conducted by an evaluator. The  
18 consulting teacher shall provide advice to the teacher  
19 rated "unsatisfactory" on how to improve teaching skills  
20 and to successfully complete the remediation plan. The  
21 consulting teacher shall participate in developing the  
22 remediation plan, but the final decision as to the  
23 evaluation shall be done solely by the evaluator, unless  
24 an applicable collective bargaining agreement provides to  
25 the contrary. Evaluations at the conclusion of the  
26 remediation process shall be separate and distinct from

1 the required annual evaluations of teachers and shall not  
2 be subject to the guidelines and procedures relating to  
3 those annual evaluations. The evaluator may but is not  
4 required to use the forms provided for the annual  
5 evaluation of teachers in the district's evaluation plan.

6 (l) reinstatement to the evaluation schedule set forth  
7 in the district's evaluation plan for any teacher in  
8 contractual continued service who achieves a rating equal  
9 to or better than "satisfactory" or "proficient" in the  
10 school year following a rating of "needs improvement" or  
11 "unsatisfactory".

12 (m) dismissal in accordance with subsection (d) of  
13 Section 24-12 or Section 24-16.5 or 34-85 of this Code of  
14 any teacher who fails to complete any applicable  
15 remediation plan with a rating equal to or better than a  
16 "satisfactory" or "proficient" rating. Districts and  
17 teachers subject to dismissal hearings are precluded from  
18 compelling the testimony of consulting teachers at such  
19 hearings under subsection (d) of Section 24-12 or Section  
20 24-16.5 or 34-85 of this Code, either as to the rating  
21 process or for opinions of performances by teachers under  
22 remediation.

23 (n) After the implementation date of an evaluation  
24 system for teachers in a district as specified in Section  
25 24A-2.5 of this Code, if a teacher in contractual  
26 continued service successfully completes a remediation



1 plan following a rating of "unsatisfactory" in an annual  
2 or biennial overall performance evaluation received after  
3 the foregoing implementation date and receives a  
4 subsequent rating of "unsatisfactory" in any of the  
5 teacher's annual or biennial overall performance  
6 evaluation ratings received during the 36-month period  
7 following the teacher's completion of the remediation  
8 plan, then the school district may forego remediation and  
9 seek dismissal in accordance with subsection (d) of  
10 Section 24-12 or Section 34-85 of this Code.

11 Nothing in this Section or Section 24A-4 shall be  
12 construed as preventing immediate dismissal of a teacher for  
13 deficiencies which are deemed irreparable or for actions  
14 which are injurious to or endanger the health or person of  
15 students in the classroom or school, or preventing the  
16 dismissal or non-renewal of teachers not in contractual  
17 continued service for any reason not prohibited by applicable  
18 employment, labor, and civil rights laws. Failure to strictly  
19 comply with the time requirements contained in Section 24A-5  
20 shall not invalidate the results of the remediation plan.

21 Nothing contained in this amendatory Act of the 98th  
22 General Assembly repeals, supersedes, invalidates, or  
23 nullifies final decisions in lawsuits pending on the effective  
24 date of this amendatory Act of the 98th General Assembly in  
25 Illinois courts involving the interpretation of Public Act  
26 97-8.

1           If the Governor has declared a disaster due to a public  
2 health emergency pursuant to Section 7 of the Illinois  
3 Emergency Management Agency Act that suspends in-person  
4 instruction, the timelines in this Section connected to the  
5 commencement and completion of any remediation plan are  
6 waived. Except if the parties mutually agree otherwise and the  
7 agreement is in writing, any remediation plan that had been in  
8 place for more than 45 days prior to the suspension of  
9 in-person instruction shall resume when in-person instruction  
10 resumes and any remediation plan that had been in place for  
11 fewer than 45 days prior to the suspension of in-person  
12 instruction shall be discontinued and a new remediation period  
13 shall begin when in-person instruction resumes. The  
14 requirements of this paragraph apply regardless of whether  
15 they are included in a school district's teacher evaluation  
16 plan.

17       (Source: P.A. 101-643, eff. 6-18-20.)

18           (Text of Section after amendment by P.A. 102-252)

19           Sec. 24A-5. Content of evaluation plans. This Section  
20 does not apply to teachers assigned to schools identified in  
21 an agreement entered into between the board of a school  
22 district operating under Article 34 of this Code and the  
23 exclusive representative of the district's teachers in  
24 accordance with Section 34-85c of this Code.

25           Each school district to which this Article applies shall

1 establish a teacher evaluation plan which ensures that each  
2 teacher in contractual continued service is evaluated at least  
3 once in the course of every 2 or 3 school years as provided in  
4 this Section.

5 Each school district shall establish a teacher evaluation  
6 plan that ensures that:

7 (1) each teacher not in contractual continued service  
8 is evaluated at least once every school year; and

9 (2) except as otherwise provided in this Section, each  
10 teacher in contractual continued service is evaluated at  
11 least once in the course of every 2 school years. However,  
12 any teacher in contractual continued service whose  
13 performance is rated as either "needs improvement" or  
14 "unsatisfactory" must be evaluated at least once in the  
15 school year following the receipt of such rating.

16 No later than September 1, 2022, each school district must  
17 establish a teacher evaluation plan that ensures that each  
18 teacher in contractual continued service whose performance is  
19 rated as either "excellent" or "proficient" is evaluated at  
20 least once in the course of the 3 school years after receipt of  
21 the rating and implement an informal teacher observation plan  
22 established by agency rule and by agreement of the joint  
23 committee established under subsection (b) of Section 24A-4 of  
24 this Code that ensures that each teacher in contractual  
25 continued service whose performance is rated as either  
26 "excellent" or "proficient" is informally observed at least

1 once in the course of the 2 school years after receipt of the  
2 rating.

3 For the 2021-2022 and 2022-2023 school years only, a  
4 school district may waive the evaluation requirement of any  
5 teacher in contractual continued service whose performance was  
6 rated as either "excellent" or "proficient" during the last  
7 school year in which the teacher was evaluated under this  
8 Section.

9 Notwithstanding anything to the contrary in this Section  
10 or any other Section of the School Code, a principal shall not  
11 be prohibited from evaluating any teachers within a school  
12 during his or her first year as principal of such school. If a  
13 first-year principal exercises this option in a school  
14 district where the evaluation plan provides for a teacher in  
15 contractual continued service to be evaluated once in the  
16 course of every 2 or 3 school years, as applicable, then a new  
17 2-year or 3-year evaluation plan must be established.

18 The evaluation plan shall comply with the requirements of  
19 this Section and of any rules adopted by the State Board of  
20 Education pursuant to this Section.

21 The plan shall include a description of each teacher's  
22 duties and responsibilities and of the standards to which that  
23 teacher is expected to conform, and shall include at least the  
24 following components:

25 (a) personal observation of the teacher in the  
26 classroom by the evaluator, unless the teacher has no

1 classroom duties.

2 (b) consideration of the teacher's attendance,  
3 planning, instructional methods, classroom management,  
4 where relevant, and competency in the subject matter  
5 taught.

6 (c) by no later than the applicable implementation  
7 date, consideration of student growth as a significant  
8 factor in the rating of the teacher's performance.

9 (d) prior to September 1, 2012, rating of the  
10 performance of teachers in contractual continued service  
11 as either:

12 (i) "excellent", "satisfactory" or  
13 "unsatisfactory"; or

14 (ii) "excellent", "proficient", "needs  
15 improvement" or "unsatisfactory".

16 (e) on and after September 1, 2012, rating of the  
17 performance of all teachers as "excellent", "proficient",  
18 "needs improvement" or "unsatisfactory".

19 (f) specification as to the teacher's strengths and  
20 weaknesses, with supporting reasons for the comments made.

21 (g) inclusion of a copy of the evaluation in the  
22 teacher's personnel file and provision of a copy to the  
23 teacher.

24 (h) within 30 school days after the completion of an  
25 evaluation rating a teacher in contractual continued  
26 service as "needs improvement", development by the

1 evaluator, in consultation with the teacher, and taking  
2 into account the teacher's on-going professional  
3 responsibilities including his or her regular teaching  
4 assignments, of a professional development plan directed  
5 to the areas that need improvement and any supports that  
6 the district will provide to address the areas identified  
7 as needing improvement.

8 (i) within 30 school days after completion of an  
9 evaluation rating a teacher in contractual continued  
10 service as "unsatisfactory", development and commencement  
11 by the district of a remediation plan designed to correct  
12 deficiencies cited, provided the deficiencies are deemed  
13 remediable. In all school districts the remediation plan  
14 for unsatisfactory, tenured teachers shall provide for 90  
15 school days of remediation within the classroom, unless an  
16 applicable collective bargaining agreement provides for a  
17 shorter duration. In all school districts evaluations  
18 issued pursuant to this Section shall be issued within 10  
19 days after the conclusion of the respective remediation  
20 plan. However, the school board or other governing  
21 authority of the district shall not lose jurisdiction to  
22 discharge a teacher in the event the evaluation is not  
23 issued within 10 days after the conclusion of the  
24 respective remediation plan.

25 (j) participation in the remediation plan by the  
26 teacher in contractual continued service rated

1 "unsatisfactory", an evaluator and a consulting teacher  
2 selected by the evaluator of the teacher who was rated  
3 "unsatisfactory", which consulting teacher is an  
4 educational employee as defined in the Educational Labor  
5 Relations Act, has at least 5 years' teaching experience,  
6 and a reasonable familiarity with the assignment of the  
7 teacher being evaluated, and who received an "excellent"  
8 rating on his or her most recent evaluation. Where no  
9 teachers who meet these criteria are available within the  
10 district, the district shall request and the applicable  
11 regional office of education shall supply, to participate  
12 in the remediation process, an individual who meets these  
13 criteria.

14 In a district having a population of less than 500,000  
15 with an exclusive bargaining agent, the bargaining agent  
16 may, if it so chooses, supply a roster of qualified  
17 teachers from whom the consulting teacher is to be  
18 selected. That roster shall, however, contain the names of  
19 at least 5 teachers, each of whom meets the criteria for  
20 consulting teacher with regard to the teacher being  
21 evaluated, or the names of all teachers so qualified if  
22 that number is less than 5. In the event of a dispute as to  
23 qualification, the State Board shall determine  
24 qualification.

25 (k) a mid-point and final evaluation by an evaluator  
26 during and at the end of the remediation period,

1 immediately following receipt of a remediation plan  
2 provided for under subsections (i) and (j) of this  
3 Section. Each evaluation shall assess the teacher's  
4 performance during the time period since the prior  
5 evaluation; provided that the last evaluation shall also  
6 include an overall evaluation of the teacher's performance  
7 during the remediation period. A written copy of the  
8 evaluations and ratings, in which any deficiencies in  
9 performance and recommendations for correction are  
10 identified, shall be provided to and discussed with the  
11 teacher within 10 school days after the date of the  
12 evaluation, unless an applicable collective bargaining  
13 agreement provides to the contrary. These subsequent  
14 evaluations shall be conducted by an evaluator. The  
15 consulting teacher shall provide advice to the teacher  
16 rated "unsatisfactory" on how to improve teaching skills  
17 and to successfully complete the remediation plan. The  
18 consulting teacher shall participate in developing the  
19 remediation plan, but the final decision as to the  
20 evaluation shall be done solely by the evaluator, unless  
21 an applicable collective bargaining agreement provides to  
22 the contrary. Evaluations at the conclusion of the  
23 remediation process shall be separate and distinct from  
24 the required annual evaluations of teachers and shall not  
25 be subject to the guidelines and procedures relating to  
26 those annual evaluations. The evaluator may but is not



1 required to use the forms provided for the annual  
2 evaluation of teachers in the district's evaluation plan.

3 (l) reinstatement to the evaluation schedule set forth  
4 in the district's evaluation plan for any teacher in  
5 contractual continued service who achieves a rating equal  
6 to or better than "satisfactory" or "proficient" in the  
7 school year following a rating of "needs improvement" or  
8 "unsatisfactory".

9 (m) dismissal in accordance with subsection (d) of  
10 Section 24-12 or Section 24-16.5 or 34-85 of this Code of  
11 any teacher who fails to complete any applicable  
12 remediation plan with a rating equal to or better than a  
13 "satisfactory" or "proficient" rating. Districts and  
14 teachers subject to dismissal hearings are precluded from  
15 compelling the testimony of consulting teachers at such  
16 hearings under subsection (d) of Section 24-12 or Section  
17 24-16.5 or 34-85 of this Code, either as to the rating  
18 process or for opinions of performances by teachers under  
19 remediation.

20 (n) After the implementation date of an evaluation  
21 system for teachers in a district as specified in Section  
22 24A-2.5 of this Code, if a teacher in contractual  
23 continued service successfully completes a remediation  
24 plan following a rating of "unsatisfactory" in an overall  
25 performance evaluation received after the foregoing  
26 implementation date and receives a subsequent rating of

1 "unsatisfactory" in any of the teacher's overall  
2 performance evaluation ratings received during the  
3 36-month period following the teacher's completion of the  
4 remediation plan, then the school district may forego  
5 remediation and seek dismissal in accordance with  
6 subsection (d) of Section 24-12 or Section 34-85 of this  
7 Code.

8 Nothing in this Section or Section 24A-4 shall be  
9 construed as preventing immediate dismissal of a teacher for  
10 deficiencies which are deemed irremediable or for actions  
11 which are injurious to or endanger the health or person of  
12 students in the classroom or school, or preventing the  
13 dismissal or non-renewal of teachers not in contractual  
14 continued service for any reason not prohibited by applicable  
15 employment, labor, and civil rights laws. Failure to strictly  
16 comply with the time requirements contained in Section 24A-5  
17 shall not invalidate the results of the remediation plan.

18 Nothing contained in this amendatory Act of the 98th  
19 General Assembly repeals, supersedes, invalidates, or  
20 nullifies final decisions in lawsuits pending on the effective  
21 date of this amendatory Act of the 98th General Assembly in  
22 Illinois courts involving the interpretation of Public Act  
23 97-8.

24 If the Governor has declared a disaster due to a public  
25 health emergency pursuant to Section 7 of the Illinois  
26 Emergency Management Agency Act that suspends in-person

1 instruction, the timelines in this Section connected to the  
2 commencement and completion of any remediation plan are  
3 waived. Except if the parties mutually agree otherwise and the  
4 agreement is in writing, any remediation plan that had been in  
5 place for more than 45 days prior to the suspension of  
6 in-person instruction shall resume when in-person instruction  
7 resumes and any remediation plan that had been in place for  
8 fewer than 45 days prior to the suspension of in-person  
9 instruction shall be discontinued and a new remediation period  
10 shall begin when in-person instruction resumes. The  
11 requirements of this paragraph apply regardless of whether  
12 they are included in a school district's teacher evaluation  
13 plan.

14 (Source: P.A. 101-643, eff. 6-18-20; 102-252, eff. 1-1-22.)

15 (105 ILCS 5/24A-7) (from Ch. 122, par. 24A-7)

16 (Text of Section before amendment by P.A. 102-252)

17 Sec. 24A-7. Rules. The State Board of Education is  
18 authorized to adopt such rules as are deemed necessary to  
19 implement and accomplish the purposes and provisions of this  
20 Article, including, but not limited to, rules:

21 (1) relating to the methods for measuring student  
22 growth (including, but not limited to, limitations on the  
23 age of usable data; the amount of data needed to reliably  
24 and validly measure growth for the purpose of teacher and  
25 principal evaluations; and whether and at what time annual

1 State assessments may be used as one of multiple measures  
2 of student growth);

3 (2) defining the term "significant factor" for  
4 purposes of including consideration of student growth in  
5 performance ratings;

6 (3) controlling for such factors as student  
7 characteristics (including, but not limited to, students  
8 receiving special education and English Learner services),  
9 student attendance, and student mobility so as to best  
10 measure the impact that a teacher, principal, school and  
11 school district has on students' academic achievement;

12 (4) establishing minimum requirements for district  
13 teacher and principal evaluation instruments and  
14 procedures; and

15 (5) establishing a model evaluation plan for use by  
16 school districts in which student growth shall comprise  
17 50% of the performance rating.

18 Notwithstanding any other rule or law to the contrary, for  
19 the 2021-2022 and 2022-2023 school years only, student growth  
20 measures described under paragraph (1) of this Section and in  
21 administrative rules adopted by the State Board of Education  
22 may not be used as a factor in any evaluation under this  
23 Article.

24 Notwithstanding any other provision in this Section, such  
25 rules shall not preclude a school district having 500,000 or  
26 more inhabitants from using an annual State assessment as the

1 sole measure of student growth for purposes of teacher or  
2 principal evaluations.

3 The State Superintendent of Education shall convene a  
4 Performance Evaluation Advisory Council, which shall be  
5 staffed by the State Board of Education. Members of the  
6 Council shall be selected by the State Superintendent and  
7 include, without limitation, representatives of teacher unions  
8 and school district management, persons with expertise in  
9 performance evaluation processes and systems, as well as other  
10 stakeholders. The Council shall meet at least quarterly and  
11 may also meet at the call of the chairperson of the Council,  
12 following August 18, 2017 (the effective date of Public Act  
13 100-211) until June 30, 2021. The Council shall advise the  
14 State Board of Education on the ongoing implementation of  
15 performance evaluations in this State, which may include  
16 gathering public feedback, sharing best practices, consulting  
17 with the State Board on any proposed rule changes regarding  
18 evaluations, and other subjects as determined by the  
19 chairperson of the Council.

20 Prior to the applicable implementation date, these rules  
21 shall not apply to teachers assigned to schools identified in  
22 an agreement entered into between the board of a school  
23 district operating under Article 34 of this Code and the  
24 exclusive representative of the district's teachers in  
25 accordance with Section 34-85c of this Code.

26 (Source: P.A. 102-558, eff. 8-20-21.)

1 (Text of Section after amendment by P.A. 102-252)

2 Sec. 24A-7. Rules. The State Board of Education is  
3 authorized to adopt such rules as are deemed necessary to  
4 implement and accomplish the purposes and provisions of this  
5 Article, including, but not limited to, rules:

6 (1) relating to the methods for measuring student  
7 growth (including, but not limited to, limitations on the  
8 age of usable data; the amount of data needed to reliably  
9 and validly measure growth for the purpose of teacher and  
10 principal evaluations; and whether and at what time annual  
11 State assessments may be used as one of multiple measures  
12 of student growth);

13 (2) defining the term "significant factor" for  
14 purposes of including consideration of student growth in  
15 performance ratings;

16 (3) controlling for such factors as student  
17 characteristics (including, but not limited to, students  
18 receiving special education and English Learner services),  
19 student attendance, and student mobility so as to best  
20 measure the impact that a teacher, principal, school and  
21 school district has on students' academic achievement;

22 (4) establishing minimum requirements for district  
23 teacher and principal evaluation instruments and  
24 procedures; and

25 (5) establishing a model evaluation plan for use by

1 school districts in which student growth shall comprise  
2 50% of the performance rating.

3 Notwithstanding any other rule or law to the contrary, for  
4 the 2021-2022 and 2022-2023 school years only, student growth  
5 measures described under paragraph (1) of this Section and in  
6 administrative rules adopted by the State Board of Education  
7 may not be used as a factor in any evaluation under this  
8 Article.

9 Notwithstanding any other provision in this Section, such  
10 rules shall not preclude a school district having 500,000 or  
11 more inhabitants from using an annual State assessment as the  
12 sole measure of student growth for purposes of teacher or  
13 principal evaluations.

14 The State Superintendent of Education shall convene a  
15 Performance Evaluation Advisory Council, which shall be  
16 staffed by the State Board of Education. Members of the  
17 Council shall be selected by the State Superintendent and  
18 include, without limitation, representatives of teacher unions  
19 and school district management, persons with expertise in  
20 performance evaluation processes and systems, as well as other  
21 stakeholders. The Council shall meet at least quarterly and  
22 may also meet at the call of the chairperson of the Council,  
23 following August 18, 2017 (the effective date of Public Act  
24 100-211) until June 30, 2024. The Council shall advise the  
25 State Board of Education on the ongoing implementation of  
26 performance evaluations in this State, which may include

1 gathering public feedback, sharing best practices, consulting  
2 with the State Board on any proposed rule changes regarding  
3 evaluations, and other subjects as determined by the  
4 chairperson of the Council.

5 Prior to the applicable implementation date, these rules  
6 shall not apply to teachers assigned to schools identified in  
7 an agreement entered into between the board of a school  
8 district operating under Article 34 of this Code and the  
9 exclusive representative of the district's teachers in  
10 accordance with Section 34-85c of this Code.

11 (Source: P.A. 102-252, eff. 1-1-22; 102-558, eff. 8-20-21.)

12 (105 ILCS 5/24A-15)

13 Sec. 24A-15. Development of evaluation plan for principals  
14 and assistant principals.

15 (a) Each school district, except for a school district  
16 organized under Article 34 of this Code, shall establish a  
17 principal and assistant principal evaluation plan in  
18 accordance with this Section. The plan must ensure that each  
19 principal and assistant principal is evaluated as follows:

20 (1) For a principal or assistant principal on a  
21 single-year contract, the evaluation must take place by  
22 March 1 of each year.

23 (2) For a principal or assistant principal on a  
24 multi-year contract under Section 10-23.8a of this Code,  
25 the evaluation must take place by March 1 of the final year



1 of the contract.

2 On and after September 1, 2012, the plan must:

3 (i) rate the principal's or assistant principal's  
4 performance as "excellent", "proficient", "needs  
5 improvement" or "unsatisfactory"; and

6 (ii) ensure that each principal and assistant  
7 principal is evaluated at least once every school year.

8 Nothing in this Section prohibits a school district from  
9 conducting additional evaluations of principals and assistant  
10 principals.

11 For the 2021-2022 and 2022-2023 school years only, a  
12 school district may waive the evaluation requirement of any  
13 principal or assistant principal whose performance was rated  
14 as either "excellent" or "proficient" during the last school  
15 year in which the principal or assistant principal was  
16 evaluated under this Section.

17 (b) The evaluation shall include a description of the  
18 principal's or assistant principal's duties and  
19 responsibilities and the standards to which the principal or  
20 assistant principal is expected to conform.

21 (c) The evaluation for a principal must be performed by  
22 the district superintendent, the superintendent's designee,  
23 or, in the absence of the superintendent or his or her  
24 designee, an individual appointed by the school board who  
25 holds a registered Type 75 State administrative certificate.

26 Prior to September 1, 2012, the evaluation must be in

1 writing and must at least do all of the following:

2 (1) Consider the principal's specific duties,  
3 responsibilities, management, and competence as a  
4 principal.

5 (2) Specify the principal's strengths and weaknesses,  
6 with supporting reasons.

7 (3) Align with research-based standards established by  
8 administrative rule.

9 On and after September 1, 2012, the evaluation must, in  
10 addition to the requirements in items (1), (2), and (3) of this  
11 subsection (c), provide for the use of data and indicators on  
12 student growth as a significant factor in rating performance.

13 (c-5) The evaluation of an assistant principal must be  
14 performed by the principal, the district superintendent, the  
15 superintendent's designee, or, in the absence of the  
16 superintendent or his or her designee, an individual appointed  
17 by the school board who holds a registered Type 75 State  
18 administrative certificate. The evaluation must be in writing  
19 and must at least do all of the following:

20 (1) Consider the assistant principal's specific  
21 duties, responsibilities, management, and competence as an  
22 assistant principal.

23 (2) Specify the assistant principal's strengths and  
24 weaknesses with supporting reasons.

25 (3) Align with the Illinois Professional Standards for  
26 School Leaders or research-based district standards.

1           On and after September 1, 2012, the evaluation must, in  
2 addition to the requirements in items (1), (2), and (3) of this  
3 subsection (c-5), provide for the use of data and indicators  
4 on student growth as a significant factor in rating  
5 performance.

6           (d) One copy of the evaluation must be included in the  
7 principal's or assistant principal's personnel file and one  
8 copy of the evaluation must be provided to the principal or  
9 assistant principal.

10          (e) Failure by a district to evaluate a principal or  
11 assistant principal and to provide the principal or assistant  
12 principal with a copy of the evaluation at least once during  
13 the term of the principal's or assistant principal's contract,  
14 in accordance with this Section, is evidence that the  
15 principal or assistant principal is performing duties and  
16 responsibilities in at least a satisfactory manner and shall  
17 serve to automatically extend the principal's or assistant  
18 principal's contract for a period of one year after the  
19 contract would otherwise expire, under the same terms and  
20 conditions as the prior year's contract. The requirements in  
21 this Section are in addition to the right of a school board to  
22 reclassify a principal or assistant principal pursuant to  
23 Section 10-23.8b of this Code.

24          (f) Nothing in this Section prohibits a school board from  
25 ordering lateral transfers of principals or assistant  
26 principals to positions of similar rank and salary.

1 (Source: P.A. 96-861, eff. 1-15-10; 97-217, eff. 7-28-11.)

2 Section 95. No acceleration or delay. Where this Act makes  
3 changes in a statute that is represented in this Act by text  
4 that is not yet or no longer in effect (for example, a Section  
5 represented by multiple versions), the use of that text does  
6 not accelerate or delay the taking effect of (i) the changes  
7 made by this Act or (ii) provisions derived from any other  
8 Public Act.

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.