

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 irreparable 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.