



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4688

Introduced 1/21/2022, by Rep. Lance Yednock

SYNOPSIS AS INTRODUCED:

105 ILCS 5/21B-45	
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 School Code. Provides that, for one year beginning on the effective date of the amendatory Act, requirements related to completing professional development activities for the renewal of a Professional Educator License do not apply, except that the number of professional development hours required is reduced by 20% for any renewal cycle that includes the 2021-2022 school year. In provisions related to the content of evaluation plans, allows a school district to waive, for the 2022-2023 school year 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". With respect to rules adopted by the State Board of Education concerning educator evaluations, for the 2022-2023 school year only, provides that factors related to methods of measuring student growth may not be used in any educator evaluation. With respect to the development of an evaluation plan for principals and assistant principals, allows a school district to waive, for the 2022-2023 school year 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 22875 CMG 32026 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 21B-45, 24A-5, 24A-7, and 24A-15 as follows:

6 (105 ILCS 5/21B-45)

7 Sec. 21B-45. Professional Educator License renewal.

8 (a) Individuals holding a Professional Educator License
9 are required to complete the licensure renewal requirements as
10 specified in this Section, unless otherwise provided in this
11 Code.

12 Individuals holding a Professional Educator License shall
13 meet the renewal requirements set forth in this Section,
14 unless otherwise provided in this Code. If an individual holds
15 a license endorsed in more than one area that has different
16 renewal requirements, that individual shall follow the renewal
17 requirements for the position for which he or she spends the
18 majority of his or her time working.

19 (b) All Professional Educator Licenses not renewed as
20 provided in this Section shall lapse on September 1 of that
21 year. Notwithstanding any other provisions of this Section, if
22 a license holder's electronic mail address is available, the
23 State Board of Education shall send him or her notification

1 electronically that his or her license will lapse if not
2 renewed, to be sent no more than 6 months prior to the license
3 lapsing. Lapsed licenses may be immediately reinstated upon
4 (i) payment by the applicant of a \$500 penalty to the State
5 Board of Education or (ii) the demonstration of proficiency by
6 completing 9 semester hours of coursework from a regionally
7 accredited institution of higher education in the content area
8 that most aligns with one or more of the educator's
9 endorsement areas. Any and all back fees, including without
10 limitation registration fees owed from the time of expiration
11 of the license until the date of reinstatement, shall be paid
12 and kept in accordance with the provisions in Article 3 of this
13 Code concerning an institute fund and the provisions in
14 Article 21B of this Code concerning fees and requirements for
15 registration. Licenses not registered in accordance with
16 Section 21B-40 of this Code shall lapse after a period of 6
17 months from the expiration of the last year of registration or
18 on January 1 of the fiscal year following initial issuance of
19 the license. An unregistered license is invalid after
20 September 1 for employment and performance of services in an
21 Illinois public or State-operated school or cooperative and in
22 a charter school. Any license or endorsement may be
23 voluntarily surrendered by the license holder. A voluntarily
24 surrendered license shall be treated as a revoked license. An
25 Educator License with Stipulations with only a
26 paraprofessional endorsement does not lapse.

1 (c) From July 1, 2013 through June 30, 2014, in order to
2 satisfy the requirements for licensure renewal provided for in
3 this Section, each professional educator licensee with an
4 administrative endorsement who is working in a position
5 requiring such endorsement shall complete one Illinois
6 Administrators' Academy course, as described in Article 2 of
7 this Code, per fiscal year.

8 (c-5) All licenses issued by the State Board of Education
9 under this Article that expire on June 30, 2020 and have not
10 been renewed by the end of the 2020 renewal period shall be
11 extended for one year and shall expire on June 30, 2021.

12 (d) Beginning July 1, 2014, in order to satisfy the
13 requirements for licensure renewal provided for in this
14 Section, each professional educator licensee may create a
15 professional development plan each year. The plan shall
16 address one or more of the endorsements that are required of
17 his or her educator position if the licensee is employed and
18 performing services in an Illinois public or State-operated
19 school or cooperative. If the licensee is employed in a
20 charter school, the plan shall address that endorsement or
21 those endorsements most closely related to his or her educator
22 position. Licensees employed and performing services in any
23 other Illinois schools may participate in the renewal
24 requirements by adhering to the same process.

25 Except as otherwise provided in this Section, the
26 licensee's professional development activities shall align

1 with one or more of the following criteria:

2 (1) activities are of a type that engage participants
3 over a sustained period of time allowing for analysis,
4 discovery, and application as they relate to student
5 learning, social or emotional achievement, or well-being;

6 (2) professional development aligns to the licensee's
7 performance;

8 (3) outcomes for the activities must relate to student
9 growth or district improvement;

10 (4) activities align to State-approved standards; and

11 (5) higher education coursework.

12 (e) For each renewal cycle, each professional educator
13 licensee shall engage in professional development activities.
14 Prior to renewal, the licensee shall enter electronically into
15 the Educator Licensure Information System (ELIS) the name,
16 date, and location of the activity, the number of professional
17 development hours, and the provider's name. The following
18 provisions shall apply concerning professional development
19 activities:

20 (1) Each licensee shall complete a total of 120 hours
21 of professional development per 5-year renewal cycle in
22 order to renew the license, except as otherwise provided
23 in this Section.

24 (2) Beginning with his or her first full 5-year cycle,
25 any licensee with an administrative endorsement who is not
26 working in a position requiring such endorsement is not

1 required to complete Illinois Administrators' Academy
2 courses, as described in Article 2 of this Code. Such
3 licensees must complete one Illinois Administrators'
4 Academy course within one year after returning to a
5 position that requires the administrative endorsement.

6 (3) Any licensee with an administrative endorsement
7 who is working in a position requiring such endorsement or
8 an individual with a Teacher Leader endorsement serving in
9 an administrative capacity at least 50% of the day shall
10 complete one Illinois Administrators' Academy course, as
11 described in Article 2 of this Code, each fiscal year in
12 addition to 100 hours of professional development per
13 5-year renewal cycle in accordance with this Code.

14 (4) Any licensee holding a current National Board for
15 Professional Teaching Standards (NBPTS) master teacher
16 designation shall complete a total of 60 hours of
17 professional development per 5-year renewal cycle in order
18 to renew the license.

19 (5) Licensees working in a position that does not
20 require educator licensure or working in a position for
21 less than 50% for any particular year are considered to be
22 exempt and shall be required to pay only the registration
23 fee in order to renew and maintain the validity of the
24 license.

25 (6) Licensees who are retired and qualify for benefits
26 from a State of Illinois retirement system shall notify

1 the State Board of Education using ELIS, and the license
2 shall be maintained in retired status. For any renewal
3 cycle in which a licensee retires during the renewal
4 cycle, the licensee must complete professional development
5 activities on a prorated basis depending on the number of
6 years during the renewal cycle the educator held an active
7 license. If a licensee retires during a renewal cycle, the
8 licensee must notify the State Board of Education using
9 ELIS that the licensee wishes to maintain the license in
10 retired status and must show proof of completion of
11 professional development activities on a prorated basis
12 for all years of that renewal cycle for which the license
13 was active. An individual with a license in retired status
14 shall not be required to complete professional development
15 activities or pay registration fees until returning to a
16 position that requires educator licensure. Upon returning
17 to work in a position that requires the Professional
18 Educator License, the licensee shall immediately pay a
19 registration fee and complete renewal requirements for
20 that year. A license in retired status cannot lapse.
21 Beginning on January 6, 2017 (the effective date of Public
22 Act 99-920) through December 31, 2017, any licensee who
23 has retired and whose license has lapsed for failure to
24 renew as provided in this Section may reinstate that
25 license and maintain it in retired status upon providing
26 proof to the State Board of Education using ELIS that the

1 licensee is retired and is not working in a position that
2 requires a Professional Educator License.

3 (7) For any renewal cycle in which professional
4 development hours were required, but not fulfilled, the
5 licensee shall complete any missed hours to total the
6 minimum professional development hours required in this
7 Section prior to September 1 of that year. Professional
8 development hours used to fulfill the minimum required
9 hours for a renewal cycle may be used for only one renewal
10 cycle. For any fiscal year or renewal cycle in which an
11 Illinois Administrators' Academy course was required but
12 not completed, the licensee shall complete any missed
13 Illinois Administrators' Academy courses prior to
14 September 1 of that year. The licensee may complete all
15 deficient hours and Illinois Administrators' Academy
16 courses while continuing to work in a position that
17 requires that license until September 1 of that year.

18 (8) Any licensee who has not fulfilled the
19 professional development renewal requirements set forth in
20 this Section at the end of any 5-year renewal cycle is
21 ineligible to register his or her license and may submit
22 an appeal to the State Superintendent of Education for
23 reinstatement of the license.

24 (9) If professional development opportunities were
25 unavailable to a licensee, proof that opportunities were
26 unavailable and request for an extension of time beyond

1 August 31 to complete the renewal requirements may be
2 submitted from April 1 through June 30 of that year to the
3 State Educator Preparation and Licensure Board. If an
4 extension is approved, the license shall remain valid
5 during the extension period.

6 (10) Individuals who hold exempt licenses prior to
7 December 27, 2013 (the effective date of Public Act
8 98-610) shall commence the annual renewal process with the
9 first scheduled registration due after December 27, 2013
10 (the effective date of Public Act 98-610).

11 (11) Notwithstanding any other provision of this
12 subsection (e), if a licensee earns more than the required
13 number of professional development hours during a renewal
14 cycle, then the licensee may carry over any hours earned
15 from April 1 through June 30 of the last year of the
16 renewal cycle. Any hours carried over in this manner must
17 be applied to the next renewal cycle. Illinois
18 Administrators' Academy courses or hours earned in those
19 courses may not be carried over.

20 (e-5) Subsection (e) does not apply for one year beginning
21 on the effective date of this amendatory Act of the 102nd
22 General Assembly, except that the number of professional
23 development hours required under subsection (e) is reduced by
24 20% for any renewal cycle that includes the 2021-2022 school
25 year.

26 (f) At the time of renewal, each licensee shall respond to

1 the required questions under penalty of perjury.

2 (f-5) The State Board of Education shall conduct random
3 audits of licensees to verify a licensee's fulfillment of the
4 professional development hours required under this Section.
5 Upon completion of a random audit, if it is determined by the
6 State Board of Education that the licensee did not complete
7 the required number of professional development hours or did
8 not provide sufficient proof of completion, the licensee shall
9 be notified that his or her license has lapsed. A license that
10 has lapsed under this subsection may be reinstated as provided
11 in subsection (b).

12 (g) The following entities shall be designated as approved
13 to provide professional development activities for the renewal
14 of Professional Educator Licenses:

15 (1) The State Board of Education.

16 (2) Regional offices of education and intermediate
17 service centers.

18 (3) Illinois professional associations representing
19 the following groups that are approved by the State
20 Superintendent of Education:

21 (A) school administrators;

22 (B) principals;

23 (C) school business officials;

24 (D) teachers, including special education
25 teachers;

26 (E) school boards;

1 (F) school districts;

2 (G) parents; and

3 (H) school service personnel.

4 (4) Regionally accredited institutions of higher
5 education that offer Illinois-approved educator
6 preparation programs and public community colleges subject
7 to the Public Community College Act.

8 (5) Illinois public school districts, charter schools
9 authorized under Article 27A of this Code, and joint
10 educational programs authorized under Article 10 of this
11 Code for the purposes of providing career and technical
12 education or special education services.

13 (6) A not-for-profit organization that, as of December
14 31, 2014 (the effective date of Public Act 98-1147), has
15 had or has a grant from or a contract with the State Board
16 of Education to provide professional development services
17 in the area of English Learning to Illinois school
18 districts, teachers, or administrators.

19 (7) State agencies, State boards, and State
20 commissions.

21 (8) Museums as defined in Section 10 of the Museum
22 Disposition of Property Act.

23 (h) Approved providers under subsection (g) of this
24 Section shall make available professional development
25 opportunities that satisfy at least one of the following:

26 (1) increase the knowledge and skills of school and

1 district leaders who guide continuous professional
2 development;

3 (2) improve the learning of students;

4 (3) organize adults into learning communities whose
5 goals are aligned with those of the school and district;

6 (4) deepen educator's content knowledge;

7 (5) provide educators with research-based
8 instructional strategies to assist students in meeting
9 rigorous academic standards;

10 (6) prepare educators to appropriately use various
11 types of classroom assessments;

12 (7) use learning strategies appropriate to the
13 intended goals;

14 (8) provide educators with the knowledge and skills to
15 collaborate;

16 (9) prepare educators to apply research to decision
17 making;

18 (10) provide educators with training on inclusive
19 practices in the classroom that examines instructional and
20 behavioral strategies that improve academic and
21 social-emotional outcomes for all students, with or
22 without disabilities, in a general education setting; or

23 (11) beginning on July 1, 2022, provide educators with
24 training on the physical and mental health needs of
25 students, student safety, educator ethics, professional
26 conduct, and other topics that address the well-being of

1 students and improve the academic and social-emotional
2 outcomes of students.

3 (i) Approved providers under subsection (g) of this
4 Section shall do the following:

5 (1) align professional development activities to the
6 State-approved national standards for professional
7 learning;

8 (2) meet the professional development criteria for
9 Illinois licensure renewal;

10 (3) produce a rationale for the activity that explains
11 how it aligns to State standards and identify the
12 assessment for determining the expected impact on student
13 learning or school improvement;

14 (4) maintain original documentation for completion of
15 activities;

16 (5) provide license holders with evidence of
17 completion of activities;

18 (6) request an Illinois Educator Identification Number
19 (IEIN) for each educator during each professional
20 development activity; and

21 (7) beginning on July 1, 2019, register annually with
22 the State Board of Education prior to offering any
23 professional development opportunities in the current
24 fiscal year.

25 (j) The State Board of Education shall conduct annual
26 audits of a subset of approved providers, except for school

1 districts, which shall be audited by regional offices of
2 education and intermediate service centers. The State Board of
3 Education shall ensure that each approved provider, except for
4 a school district, is audited at least once every 5 years. The
5 State Board of Education may conduct more frequent audits of
6 providers if evidence suggests the requirements of this
7 Section or administrative rules are not being met.

8 (1) (Blank).

9 (2) Approved providers shall comply with the
10 requirements in subsections (h) and (i) of this Section by
11 annually submitting data to the State Board of Education
12 demonstrating how the professional development activities
13 impacted one or more of the following:

14 (A) educator and student growth in regards to
15 content knowledge or skills, or both;

16 (B) educator and student social and emotional
17 growth; or

18 (C) alignment to district or school improvement
19 plans.

20 (3) The State Superintendent of Education shall review
21 the annual data collected by the State Board of Education,
22 regional offices of education, and intermediate service
23 centers in audits to determine if the approved provider
24 has met the criteria and should continue to be an approved
25 provider or if further action should be taken as provided
26 in rules.

1 (k) Registration fees shall be paid for the next renewal
2 cycle between April 1 and June 30 in the last year of each
3 5-year renewal cycle using ELIS. If all required professional
4 development hours for the renewal cycle have been completed
5 and entered by the licensee, the licensee shall pay the
6 registration fees for the next cycle using a form of credit or
7 debit card.

8 (l) Any professional educator licensee endorsed for school
9 support personnel who is employed and performing services in
10 Illinois public schools and who holds an active and current
11 professional license issued by the Department of Financial and
12 Professional Regulation or a national certification board, as
13 approved by the State Board of Education, related to the
14 endorsement areas on the Professional Educator License shall
15 be deemed to have satisfied the continuing professional
16 development requirements provided for in this Section. Such
17 individuals shall be required to pay only registration fees to
18 renew the Professional Educator License. An individual who
19 does not hold a license issued by the Department of Financial
20 and Professional Regulation shall complete professional
21 development requirements for the renewal of a Professional
22 Educator License provided for in this Section.

23 (m) Appeals to the State Educator Preparation and
24 Licensure Board must be made within 30 days after receipt of
25 notice from the State Superintendent of Education that a
26 license will not be renewed based upon failure to complete the

1 requirements of this Section. A licensee may appeal that
2 decision to the State Educator Preparation and Licensure Board
3 in a manner prescribed by rule.

4 (1) Each appeal shall state the reasons why the State
5 Superintendent's decision should be reversed and shall be
6 sent by certified mail, return receipt requested, to the
7 State Board of Education.

8 (2) The State Educator Preparation and Licensure Board
9 shall review each appeal regarding renewal of a license
10 within 90 days after receiving the appeal in order to
11 determine whether the licensee has met the requirements of
12 this Section. The State Educator Preparation and Licensure
13 Board may hold an appeal hearing or may make its
14 determination based upon the record of review, which shall
15 consist of the following:

16 (A) the regional superintendent of education's
17 rationale for recommending nonrenewal of the license,
18 if applicable;

19 (B) any evidence submitted to the State
20 Superintendent along with the individual's electronic
21 statement of assurance for renewal; and

22 (C) the State Superintendent's rationale for
23 nonrenewal of the license.

24 (3) The State Educator Preparation and Licensure Board
25 shall notify the licensee of its decision regarding
26 license renewal by certified mail, return receipt

1 requested, no later than 30 days after reaching a
2 decision. Upon receipt of notification of renewal, the
3 licensee, using ELIS, shall pay the applicable
4 registration fee for the next cycle using a form of credit
5 or debit card.

6 (n) The State Board of Education may adopt rules as may be
7 necessary to implement this Section.

8 (Source: P.A. 101-85, eff. 1-1-20; 101-531, eff. 8-23-19;
9 101-643, eff. 6-18-20; 102-676, eff. 12-3-21.)

10 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

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

17 Each school district to which this Article applies shall
18 establish a teacher evaluation plan which ensures that each
19 teacher in contractual continued service is evaluated at least
20 once in the course of every 2 or 3 school years as provided in
21 this Section.

22 Each school district shall establish a teacher evaluation
23 plan that ensures that:

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

1 (2) except as otherwise provided in this Section, each
2 teacher in contractual continued service is evaluated at
3 least once in the course of every 2 school years. However,
4 any teacher in contractual continued service whose
5 performance is rated as either "needs improvement" or
6 "unsatisfactory" must be evaluated at least once in the
7 school year following the receipt of such rating.

8 No later than September 1, 2022, each school district must
9 establish a teacher evaluation plan that ensures that each
10 teacher in contractual continued service whose performance is
11 rated as either "excellent" or "proficient" is evaluated at
12 least once in the course of the 3 school years after receipt of
13 the rating and implement an informal teacher observation plan
14 established by agency rule and by agreement of the joint
15 committee established under subsection (b) of Section 24A-4 of
16 this Code that ensures that each teacher in contractual
17 continued service whose performance is rated as either
18 "excellent" or "proficient" is informally observed at least
19 once in the course of the 2 school years after receipt of the
20 rating.

21 For the 2022-2023 school year only, a school district may
22 waive the evaluation requirement of any teacher in contractual
23 continued service whose performance was rated as either
24 "excellent" or "proficient" during the last school year in
25 which the teacher was evaluated under this Section.

26 Notwithstanding anything to the contrary in this Section

1 or any other Section of the School Code, a principal shall not
2 be prohibited from evaluating any teachers within a school
3 during his or her first year as principal of such school. If a
4 first-year principal exercises this option in a school
5 district where the evaluation plan provides for a teacher in
6 contractual continued service to be evaluated once in the
7 course of every 2 or 3 school years, as applicable, then a new
8 2-year or 3-year evaluation plan must be established.

9 The evaluation plan shall comply with the requirements of
10 this Section and of any rules adopted by the State Board of
11 Education pursuant to this Section.

12 The plan shall include a description of each teacher's
13 duties and responsibilities and of the standards to which that
14 teacher is expected to conform, and shall include at least the
15 following components:

16 (a) personal observation of the teacher in the
17 classroom by the evaluator, unless the teacher has no
18 classroom duties.

19 (b) consideration of the teacher's attendance,
20 planning, instructional methods, classroom management,
21 where relevant, and competency in the subject matter
22 taught.

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

26 (d) prior to September 1, 2012, rating of the

1 performance of teachers in contractual continued service
2 as either:

3 (i) "excellent", "satisfactory" or
4 "unsatisfactory"; or

5 (ii) "excellent", "proficient", "needs
6 improvement" or "unsatisfactory".

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

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

12 (g) inclusion of a copy of the evaluation in the
13 teacher's personnel file and provision of a copy to the
14 teacher.

15 (h) within 30 school days after the completion of an
16 evaluation rating a teacher in contractual continued
17 service as "needs improvement", development by the
18 evaluator, in consultation with the teacher, and taking
19 into account the teacher's on-going professional
20 responsibilities including his or her regular teaching
21 assignments, of a professional development plan directed
22 to the areas that need improvement and any supports that
23 the district will provide to address the areas identified
24 as needing improvement.

25 (i) within 30 school days after completion of an
26 evaluation rating a teacher in contractual continued

1 service as "unsatisfactory", development and commencement
2 by the district of a remediation plan designed to correct
3 deficiencies cited, provided the deficiencies are deemed
4 remediable. In all school districts the remediation plan
5 for unsatisfactory, tenured teachers shall provide for 90
6 school days of remediation within the classroom, unless an
7 applicable collective bargaining agreement provides for a
8 shorter duration. In all school districts evaluations
9 issued pursuant to this Section shall be issued within 10
10 days after the conclusion of the respective remediation
11 plan. However, the school board or other governing
12 authority of the district shall not lose jurisdiction to
13 discharge a teacher in the event the evaluation is not
14 issued within 10 days after the conclusion of the
15 respective remediation plan.

16 (j) participation in the remediation plan by the
17 teacher in contractual continued service rated
18 "unsatisfactory", an evaluator and a consulting teacher
19 selected by the evaluator of the teacher who was rated
20 "unsatisfactory", which consulting teacher is an
21 educational employee as defined in the Educational Labor
22 Relations Act, has at least 5 years' teaching experience,
23 and a reasonable familiarity with the assignment of the
24 teacher being evaluated, and who received an "excellent"
25 rating on his or her most recent evaluation. Where no
26 teachers who meet these criteria are available within the

1 district, the district shall request and the applicable
2 regional office of education shall supply, to participate
3 in the remediation process, an individual who meets these
4 criteria.

5 In a district having a population of less than 500,000
6 with an exclusive bargaining agent, the bargaining agent
7 may, if it so chooses, supply a roster of qualified
8 teachers from whom the consulting teacher is to be
9 selected. That roster shall, however, contain the names of
10 at least 5 teachers, each of whom meets the criteria for
11 consulting teacher with regard to the teacher being
12 evaluated, or the names of all teachers so qualified if
13 that number is less than 5. In the event of a dispute as to
14 qualification, the State Board shall determine
15 qualification.

16 (k) a mid-point and final evaluation by an evaluator
17 during and at the end of the remediation period,
18 immediately following receipt of a remediation plan
19 provided for under subsections (i) and (j) of this
20 Section. Each evaluation shall assess the teacher's
21 performance during the time period since the prior
22 evaluation; provided that the last evaluation shall also
23 include an overall evaluation of the teacher's performance
24 during the remediation period. A written copy of the
25 evaluations and ratings, in which any deficiencies in
26 performance and recommendations for correction are

1 identified, shall be provided to and discussed with the
2 teacher within 10 school days after the date of the
3 evaluation, unless an applicable collective bargaining
4 agreement provides to the contrary. These subsequent
5 evaluations shall be conducted by an evaluator. The
6 consulting teacher shall provide advice to the teacher
7 rated "unsatisfactory" on how to improve teaching skills
8 and to successfully complete the remediation plan. The
9 consulting teacher shall participate in developing the
10 remediation plan, but the final decision as to the
11 evaluation shall be done solely by the evaluator, unless
12 an applicable collective bargaining agreement provides to
13 the contrary. Evaluations at the conclusion of the
14 remediation process shall be separate and distinct from
15 the required annual evaluations of teachers and shall not
16 be subject to the guidelines and procedures relating to
17 those annual evaluations. The evaluator may but is not
18 required to use the forms provided for the annual
19 evaluation of teachers in the district's evaluation plan.

20 (l) reinstatement to the evaluation schedule set forth
21 in the district's evaluation plan for any teacher in
22 contractual continued service who achieves a rating equal
23 to or better than "satisfactory" or "proficient" in the
24 school year following a rating of "needs improvement" or
25 "unsatisfactory".

26 (m) dismissal in accordance with subsection (d) of

1 Section 24-12 or Section 24-16.5 or 34-85 of this Code of
2 any teacher who fails to complete any applicable
3 remediation plan with a rating equal to or better than a
4 "satisfactory" or "proficient" rating. Districts and
5 teachers subject to dismissal hearings are precluded from
6 compelling the testimony of consulting teachers at such
7 hearings under subsection (d) of Section 24-12 or Section
8 24-16.5 or 34-85 of this Code, either as to the rating
9 process or for opinions of performances by teachers under
10 remediation.

11 (n) After the implementation date of an evaluation
12 system for teachers in a district as specified in Section
13 24A-2.5 of this Code, if a teacher in contractual
14 continued service successfully completes a remediation
15 plan following a rating of "unsatisfactory" in an overall
16 performance evaluation received after the foregoing
17 implementation date and receives a subsequent rating of
18 "unsatisfactory" in any of the teacher's overall
19 performance evaluation ratings received during the
20 36-month period following the teacher's completion of the
21 remediation plan, then the school district may forego
22 remediation and seek dismissal in accordance with
23 subsection (d) of Section 24-12 or Section 34-85 of this
24 Code.

25 Nothing in this Section or Section 24A-4 shall be
26 construed as preventing immediate dismissal of a teacher for

1 deficiencies which are deemed irremediable or for actions
2 which are injurious to or endanger the health or person of
3 students in the classroom or school, or preventing the
4 dismissal or non-renewal of teachers not in contractual
5 continued service for any reason not prohibited by applicable
6 employment, labor, and civil rights laws. Failure to strictly
7 comply with the time requirements contained in Section 24A-5
8 shall not invalidate the results of the remediation plan.

9 Nothing contained in this amendatory Act of the 98th
10 General Assembly repeals, supersedes, invalidates, or
11 nullifies final decisions in lawsuits pending on the effective
12 date of this amendatory Act of the 98th General Assembly in
13 Illinois courts involving the interpretation of Public Act
14 97-8.

15 If the Governor has declared a disaster due to a public
16 health emergency pursuant to Section 7 of the Illinois
17 Emergency Management Agency Act that suspends in-person
18 instruction, the timelines in this Section connected to the
19 commencement and completion of any remediation plan are
20 waived. Except if the parties mutually agree otherwise and the
21 agreement is in writing, any remediation plan that had been in
22 place for more than 45 days prior to the suspension of
23 in-person instruction shall resume when in-person instruction
24 resumes and any remediation plan that had been in place for
25 fewer than 45 days prior to the suspension of in-person
26 instruction shall be discontinued and a new remediation period

1 shall begin when in-person instruction resumes. The
2 requirements of this paragraph apply regardless of whether
3 they are included in a school district's teacher evaluation
4 plan.

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

6 (105 ILCS 5/24A-7) (from Ch. 122, par. 24A-7)

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

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

18 (2) defining the term "significant factor" for
19 purposes of including consideration of student growth in
20 performance ratings;

21 (3) controlling for such factors as student
22 characteristics (including, but not limited to, students
23 receiving special education and English Learner services),
24 student attendance, and student mobility so as to best
25 measure the impact that a teacher, principal, school and

1 school district has on students' academic achievement;

2 (4) establishing minimum requirements for district
3 teacher and principal evaluation instruments and
4 procedures; and

5 (5) establishing a model evaluation plan for use by
6 school districts in which student growth shall comprise
7 50% of the performance rating.

8 Notwithstanding any other rule or law to the contrary, for
9 the 2022-2023 school year only, student growth measures
10 described under paragraph (1) of this Section and in
11 administrative rules adopted by the State Board of Education
12 may not be used as a factor in any evaluation under this
13 Article.

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

19 The State Superintendent of Education shall convene a
20 Performance Evaluation Advisory Council, which shall be
21 staffed by the State Board of Education. Members of the
22 Council shall be selected by the State Superintendent and
23 include, without limitation, representatives of teacher unions
24 and school district management, persons with expertise in
25 performance evaluation processes and systems, as well as other
26 stakeholders. The Council shall meet at least quarterly and

1 may also meet at the call of the chairperson of the Council,
2 following August 18, 2017 (the effective date of Public Act
3 100-211) until June 30, 2024. The Council shall advise the
4 State Board of Education on the ongoing implementation of
5 performance evaluations in this State, which may include
6 gathering public feedback, sharing best practices, consulting
7 with the State Board on any proposed rule changes regarding
8 evaluations, and other subjects as determined by the
9 chairperson of the Council.

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

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

17 (105 ILCS 5/24A-15)

18 Sec. 24A-15. Development of evaluation plan for principals
19 and assistant principals.

20 (a) Each school district, except for a school district
21 organized under Article 34 of this Code, shall establish a
22 principal and assistant principal evaluation plan in
23 accordance with this Section. The plan must ensure that each
24 principal and assistant principal is evaluated as follows:

25 (1) For a principal or assistant principal on a

1 single-year contract, the evaluation must take place by
2 March 1 of each year.

3 (2) For a principal or assistant principal on a
4 multi-year contract under Section 10-23.8a of this Code,
5 the evaluation must take place by March 1 of the final year
6 of the contract.

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

8 (i) rate the principal's or assistant principal's
9 performance as "excellent", "proficient", "needs
10 improvement" or "unsatisfactory"; and

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

13 Nothing in this Section prohibits a school district from
14 conducting additional evaluations of principals and assistant
15 principals.

16 For the 2022-2023 school year only, a school district may
17 waive the evaluation requirement of any principal or assistant
18 principal whose performance was rated as either "excellent" or
19 "proficient" during the last school year in which the
20 principal or assistant principal was evaluated under this
21 Section.

22 (b) The evaluation shall include a description of the
23 principal's or assistant principal's duties and
24 responsibilities and the standards to which the principal or
25 assistant principal is expected to conform.

26 (c) The evaluation for a principal must be performed by

1 the district superintendent, the superintendent's designee,
2 or, in the absence of the superintendent or his or her
3 designee, an individual appointed by the school board who
4 holds a registered Type 75 State administrative certificate.

5 Prior to September 1, 2012, the evaluation must be in
6 writing and must at least do all of the following:

7 (1) Consider the principal's specific duties,
8 responsibilities, management, and competence as a
9 principal.

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

12 (3) Align with research-based standards established by
13 administrative rule.

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

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

25 (1) Consider the assistant principal's specific
26 duties, responsibilities, management, and competence as an

1 assistant principal.

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

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

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

11 (d) One copy of the evaluation must be included in the
12 principal's or assistant principal's personnel file and one
13 copy of the evaluation must be provided to the principal or
14 assistant principal.

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

1 reclassify a principal or assistant principal pursuant to
2 Section 10-23.8b of this Code.

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

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

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.