



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### SB1529

Introduced 2/8/2023, by Sen. Jil Tracy

#### 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 any 5-year renewal cycle that includes the 2022-2023 school year, each professional educator licensee shall complete a total of 100 hours of professional development during the 5-year renewal cycle in order to renew the license (rather than being required to complete a total of 120 hours). For the 2022-2023 school year only, provides that a licensee with an administrative endorsement who is working in a position requiring such endorsement or an individual with a Teacher Leader endorsement serving in an administrative capacity at least 50% of the day is not required to complete an Illinois Administrators' Academy course (rather than being required to complete one course). In provisions related to the content of evaluation plans, allows a school district to waive, for the 2022-2023 and 2023-2024 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 2022-2023 and 2023-2024 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 2022-2023 and 2023-2024 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". Makes related changes. Effective immediately.

LRB103 29135 RJT 55521 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 to the State Board of Education by the applicant of  
5 a \$50 penalty 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 engages ~~engage~~  
3 participants over a sustained period of time allowing for  
4 analysis, discovery, and application as they relate to  
5 student learning, social or emotional achievement, or  
6 well-being;

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

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

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

12 (5) higher education coursework.

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

21 (1) For any 5-year renewal cycle that does not include  
22 the 2022-2023 school year, each ~~Each~~ licensee shall  
23 complete a total of 120 hours of professional development  
24 per 5-year renewal cycle in order to renew the license,  
25 except as otherwise provided in this Section. For any  
26 5-year renewal cycle that includes the 2022-2023 school

1       year, each licensee shall complete a total of 100 hours of  
2       professional development during the 5-year renewal cycle  
3       in order to renew the license, except as otherwise  
4       provided in this Section.

5           (2) Beginning with his or her first full 5-year cycle,  
6       any licensee with an administrative endorsement who is not  
7       working in a position requiring such endorsement is not  
8       required to complete Illinois Administrators' Academy  
9       courses, as described in Article 2 of this Code. Such  
10      licensees must complete one Illinois Administrators'  
11      Academy course within one year after returning to a  
12      position that requires the administrative endorsement.

13          (3) Any licensee with an administrative endorsement  
14      who is working in a position requiring such endorsement or  
15      an individual with a Teacher Leader endorsement serving in  
16      an administrative capacity at least 50% of the day shall  
17      complete one Illinois Administrators' Academy course, as  
18      described in Article 2 of this Code, each fiscal year in  
19      addition to 100 hours of professional development per  
20      5-year renewal cycle in accordance with this Code.  
21      However, for the 2021-2022 and 2022-2023 school years ~~year~~  
22      only, a licensee under this paragraph (3) is not required  
23      to complete an Illinois Administrators' Academy course.

24          (4) Any licensee holding a current National Board for  
25      Professional Teaching Standards (NBPTS) master teacher  
26      designation shall complete a total of 60 hours of

1 professional development per 5-year renewal cycle in order  
2 to renew the license.

3 (5) Licensees working in a position that does not  
4 require educator licensure or working in a position for  
5 less than 50% for any particular year are considered to be  
6 exempt and shall be required to pay only the registration  
7 fee in order to renew and maintain the validity of the  
8 license.

9 (6) Licensees who are retired and qualify for benefits  
10 from a State of Illinois retirement system shall be listed  
11 as retired, and the license shall be maintained in retired  
12 status. For any renewal cycle in which a licensee retires  
13 during the renewal cycle, the licensee must complete  
14 professional development activities on a prorated basis  
15 depending on the number of years during the renewal cycle  
16 the educator held an active license. If a licensee retires  
17 during a renewal cycle, the license status must be updated  
18 using ELIS indicating that the licensee wishes to maintain  
19 the license in retired status and the licensee must show  
20 proof of completion of professional development activities  
21 on a prorated basis for all years of that renewal cycle for  
22 which the license was active. An individual with a license  
23 in retired status shall not be required to complete  
24 professional development activities until returning to a  
25 position that requires educator licensure. Upon returning  
26 to work in a position that requires the Professional

1 Educator License, the license status shall immediately be  
2 updated using ELIS and the licensee shall complete renewal  
3 requirements for that year. A retired teacher, even if  
4 returning to a position that requires educator licensure,  
5 shall not be required to pay registration fees. A license  
6 in retired status cannot lapse. Beginning on January 6,  
7 2017 (the effective date of Public Act 99-920) through  
8 December 31, 2017, any licensee who has retired and whose  
9 license has lapsed for failure to renew as provided in  
10 this Section may reinstate that license and maintain it in  
11 retired status upon providing proof to the State Board of  
12 Education using ELIS that the licensee is retired and is  
13 not working in a position that requires a Professional  
14 Educator License.

15 (7) For any renewal cycle in which professional  
16 development hours were required, but not fulfilled, the  
17 licensee shall complete any missed hours to total the  
18 minimum professional development hours required in this  
19 Section prior to September 1 of that year. Professional  
20 development hours used to fulfill the minimum required  
21 hours for a renewal cycle may be used for only one renewal  
22 cycle. For any fiscal year or renewal cycle in which an  
23 Illinois Administrators' Academy course was required but  
24 not completed, the licensee shall complete any missed  
25 Illinois Administrators' Academy courses prior to  
26 September 1 of that year. The licensee may complete all



1           deficient hours and Illinois Administrators' Academy  
2           courses while continuing to work in a position that  
3           requires that license until September 1 of that year.

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

10          (9) If professional development opportunities were  
11          unavailable to a licensee, proof that opportunities were  
12          unavailable and request for an extension of time beyond  
13          August 31 to complete the renewal requirements may be  
14          submitted from April 1 through June 30 of that year to the  
15          State Educator Preparation and Licensure Board. If an  
16          extension is approved, the license shall remain valid  
17          during the extension period.

18          (10) Individuals who hold exempt licenses prior to  
19          December 27, 2013 (the effective date of Public Act  
20          98-610) shall commence the annual renewal process with the  
21          first scheduled registration due after December 27, 2013  
22          (the effective date of Public Act 98-610).

23          (11) Notwithstanding any other provision of this  
24          subsection (e), if a licensee earns more than the required  
25          number of professional development hours during a renewal  
26          cycle, then the licensee may carry over any hours earned

1 from April 1 through June 30 of the last year of the  
2 renewal cycle. Any hours carried over in this manner must  
3 be applied to the next renewal cycle. Illinois  
4 Administrators' Academy courses or hours earned in those  
5 courses may not be carried over.

6 (e-5) The number of professional development hours  
7 required under subsection (e) is reduced by 20% for any  
8 renewal cycle that includes the 2021-2022 school year.

9 (f) At the time of renewal, each licensee shall respond to  
10 the required questions under penalty of perjury.

11 (f-5) The State Board of Education shall conduct random  
12 audits of licensees to verify a licensee's fulfillment of the  
13 professional development hours required under this Section.  
14 Upon completion of a random audit, if it is determined by the  
15 State Board of Education that the licensee did not complete  
16 the required number of professional development hours or did  
17 not provide sufficient proof of completion, the licensee shall  
18 be notified that his or her license has lapsed. A license that  
19 has lapsed under this subsection may be reinstated as provided  
20 in subsection (b).

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

24 (1) The State Board of Education.

25 (2) Regional offices of education and intermediate  
26 service centers.

1           (3) Illinois professional associations representing  
2           the following groups that are approved by the State  
3           Superintendent of Education:

4                     (A) school administrators;

5                     (B) principals;

6                     (C) school business officials;

7                     (D) teachers, including special education  
8           teachers;

9                     (E) school boards;

10                    (F) school districts;

11                    (G) parents; and

12                    (H) school service personnel.

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

17           (5) Illinois public school districts, charter schools  
18           authorized under Article 27A of this Code, and joint  
19           educational programs authorized under Article 10 of this  
20           Code for the purposes of providing career and technical  
21           education or special education services.

22           (6) A not-for-profit organization that, as of December  
23           31, 2014 (the effective date of Public Act 98-1147), has  
24           had or has a grant from or a contract with the State Board  
25           of Education to provide professional development services  
26           in the area of English Learning to Illinois school

1 districts, teachers, or administrators.

2 (7) State agencies, State boards, and State  
3 commissions.

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

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

9 (1) increase the knowledge and skills of school and  
10 district leaders who guide continuous professional  
11 development;

12 (2) improve the learning of students;

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

15 (4) deepen educator's content knowledge;

16 (5) provide educators with research-based  
17 instructional strategies to assist students in meeting  
18 rigorous academic standards;

19 (6) prepare educators to appropriately use various  
20 types of classroom assessments;

21 (7) use learning strategies appropriate to the  
22 intended goals;

23 (8) provide educators with the knowledge and skills to  
24 collaborate;

25 (9) prepare educators to apply research to decision  
26 making;

1           (10) provide educators with training on inclusive  
2 practices in the classroom that examines instructional and  
3 behavioral strategies that improve academic and  
4 social-emotional outcomes for all students, with or  
5 without disabilities, in a general education setting; or

6           (11) beginning on July 1, 2022, provide educators with  
7 training on the physical and mental health needs of  
8 students, student safety, educator ethics, professional  
9 conduct, and other topics that address the well-being of  
10 students and improve the academic and social-emotional  
11 outcomes of students.

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

14           (1) align professional development activities to the  
15 State-approved national standards for professional  
16 learning;

17           (2) meet the professional development criteria for  
18 Illinois licensure renewal;

19           (3) produce a rationale for the activity that explains  
20 how it aligns to State standards and identify the  
21 assessment for determining the expected impact on student  
22 learning or school improvement;

23           (4) maintain original documentation for completion of  
24 activities;

25           (5) provide license holders with evidence of  
26 completion of activities;

1           (6) request an Illinois Educator Identification Number  
2           (IEIN) for each educator during each professional  
3           development activity; and

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

8           (j) The State Board of Education shall conduct annual  
9           audits of a subset of approved providers, except for school  
10          districts, which shall be audited by regional offices of  
11          education and intermediate service centers. The State Board of  
12          Education shall ensure that each approved provider, except for  
13          a school district, is audited at least once every 5 years. The  
14          State Board of Education may conduct more frequent audits of  
15          providers if evidence suggests the requirements of this  
16          Section or administrative rules are not being met.

17           (1) (Blank).

18           (2) Approved providers shall comply with the  
19          requirements in subsections (h) and (i) of this Section by  
20          annually submitting data to the State Board of Education  
21          demonstrating how the professional development activities  
22          impacted one or more of the following:

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

25                   (B) educator and student social and emotional  
26                   growth; or

1 (C) alignment to district or school improvement  
2 plans.

3 (3) The State Superintendent of Education shall review  
4 the annual data collected by the State Board of Education,  
5 regional offices of education, and intermediate service  
6 centers in audits to determine if the approved provider  
7 has met the criteria and should continue to be an approved  
8 provider or if further action should be taken as provided  
9 in rules.

10 (k) Registration fees shall be paid for the next renewal  
11 cycle between April 1 and June 30 in the last year of each  
12 5-year renewal cycle using ELIS. If all required professional  
13 development hours for the renewal cycle have been completed  
14 and entered by the licensee, the licensee shall pay the  
15 registration fees for the next cycle using a form of credit or  
16 debit card.

17 (l) Any professional educator licensee endorsed for school  
18 support personnel who is employed and performing services in  
19 Illinois public schools and who holds an active and current  
20 professional license issued by the Department of Financial and  
21 Professional Regulation or a national certification board, as  
22 approved by the State Board of Education, related to the  
23 endorsement areas on the Professional Educator License shall  
24 be deemed to have satisfied the continuing professional  
25 development requirements provided for in this Section. Such  
26 individuals shall be required to pay only registration fees to

1 renew the Professional Educator License. An individual who  
2 does not hold a license issued by the Department of Financial  
3 and Professional Regulation shall complete professional  
4 development requirements for the renewal of a Professional  
5 Educator License provided for in this Section.

6 (m) Appeals to the State Educator Preparation and  
7 Licensure Board must be made within 30 days after receipt of  
8 notice from the State Superintendent of Education that a  
9 license will not be renewed based upon failure to complete the  
10 requirements of this Section. A licensee may appeal that  
11 decision to the State Educator Preparation and Licensure Board  
12 in a manner prescribed by rule.

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

17 (2) The State Educator Preparation and Licensure Board  
18 shall review each appeal regarding renewal of a license  
19 within 90 days after receiving the appeal in order to  
20 determine whether the licensee has met the requirements of  
21 this Section. The State Educator Preparation and Licensure  
22 Board may hold an appeal hearing or may make its  
23 determination based upon the record of review, which shall  
24 consist of the following:

25 (A) the regional superintendent of education's  
26 rationale for recommending nonrenewal of the license,



1 if applicable;

2 (B) any evidence submitted to the State  
3 Superintendent along with the individual's electronic  
4 statement of assurance for renewal; and

5 (C) the State Superintendent's rationale for  
6 nonrenewal of the license.

7 (3) The State Educator Preparation and Licensure Board  
8 shall notify the licensee of its decision regarding  
9 license renewal by certified mail, return receipt  
10 requested, no later than 30 days after reaching a  
11 decision. Upon receipt of notification of renewal, the  
12 licensee, using ELIS, shall pay the applicable  
13 registration fee for the next cycle using a form of credit  
14 or debit card.

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

17 (Source: P.A. 101-85, eff. 1-1-20; 101-531, eff. 8-23-19;  
18 101-643, eff. 6-18-20; 102-676, eff. 12-3-21; 102-710, eff.  
19 4-27-22; 102-730, eff. 5-6-22; 102-852, eff. 5-13-22; revised  
20 8-25-22.)

21 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

22 Sec. 24A-5. Content of evaluation plans. This Section  
23 does not apply to teachers assigned to schools identified in  
24 an agreement entered into between the board of a school  
25 district operating under Article 34 of this Code and the

1 exclusive representative of the district's teachers in  
2 accordance with Section 34-85c of this Code.

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

8 Each school district shall establish a teacher evaluation  
9 plan that ensures that:

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

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

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

1 this Code that ensures that each teacher in contractual  
2 continued service whose performance is rated as either  
3 "excellent" or "proficient" is informally observed at least  
4 once in the course of the 2 school years after receipt of the  
5 rating.

6 For the 2022-2023 and 2023-2024 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 ~~For the 2022-2023 school year only, if the Governor has~~  
13 ~~declared a disaster due to a public health emergency pursuant~~  
14 ~~to Section 7 of the Illinois Emergency Management Agency Act,~~  
15 ~~a school district may waive the evaluation requirement of all~~  
16 ~~teachers in contractual continued service whose performances~~  
17 ~~were rated as either "excellent" or "proficient" during the~~  
18 ~~last school year in which the teachers were evaluated under~~  
19 ~~this Section.~~

20 Notwithstanding anything to the contrary in this Section  
21 or any other Section of this Code, a principal shall not be  
22 prohibited from evaluating any teachers within a school during  
23 his or her first year as principal of such school. If a  
24 first-year principal exercises this option in a school  
25 district where the evaluation plan provides for a teacher in  
26 contractual continued service to be evaluated once in the

1 course of every 2 or 3 school years, as applicable, then a new  
2 2-year or 3-year evaluation plan must be established.

3 The evaluation plan shall comply with the requirements of  
4 this Section and of any rules adopted by the State Board of  
5 Education pursuant to this Section.

6 The plan shall include a description of each teacher's  
7 duties and responsibilities and of the standards to which that  
8 teacher is expected to conform, and shall include at least the  
9 following components:

10 (a) personal observation of the teacher in the  
11 classroom by the evaluator, unless the teacher has no  
12 classroom duties.

13 (b) consideration of the teacher's attendance,  
14 planning, instructional methods, classroom management,  
15 where relevant, and competency in the subject matter  
16 taught.

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

20 (d) prior to September 1, 2012, rating of the  
21 performance of teachers in contractual continued service  
22 as either:

23 (i) "excellent", "satisfactory" or  
24 "unsatisfactory"; or

25 (ii) "excellent", "proficient", "needs  
26 improvement" or "unsatisfactory".

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

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

6           (g) inclusion of a copy of the evaluation in the  
7 teacher's personnel file and provision of a copy to the  
8 teacher.

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

19           (i) within 30 school days after completion of an  
20 evaluation rating a teacher in contractual continued  
21 service as "unsatisfactory", development and commencement  
22 by the district of a remediation plan designed to correct  
23 deficiencies cited, provided the deficiencies are deemed  
24 remediable. In all school districts the remediation plan  
25 for unsatisfactory, tenured teachers shall provide for 90  
26 school days of remediation within the classroom, unless an

1 applicable collective bargaining agreement provides for a  
2 shorter duration. In all school districts evaluations  
3 issued pursuant to this Section shall be issued within 10  
4 days after the conclusion of the respective remediation  
5 plan. However, the school board or other governing  
6 authority of the district shall not lose jurisdiction to  
7 discharge a teacher in the event the evaluation is not  
8 issued within 10 days after the conclusion of the  
9 respective remediation plan.

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

25 In a district having a population of less than 500,000  
26 with an exclusive bargaining agent, the bargaining agent

1           may, if it so chooses, supply a roster of qualified  
2           teachers from whom the consulting teacher is to be  
3           selected. That roster shall, however, contain the names of  
4           at least 5 teachers, each of whom meets the criteria for  
5           consulting teacher with regard to the teacher being  
6           evaluated, or the names of all teachers so qualified if  
7           that number is less than 5. In the event of a dispute as to  
8           qualification, the State Board shall determine  
9           qualification.

10           (k) a mid-point and final evaluation by an evaluator  
11           during and at the end of the remediation period,  
12           immediately following receipt of a remediation plan  
13           provided for under subsections (i) and (j) of this  
14           Section. Each evaluation shall assess the teacher's  
15           performance during the time period since the prior  
16           evaluation; provided that the last evaluation shall also  
17           include an overall evaluation of the teacher's performance  
18           during the remediation period. A written copy of the  
19           evaluations and ratings, in which any deficiencies in  
20           performance and recommendations for correction are  
21           identified, shall be provided to and discussed with the  
22           teacher within 10 school days after the date of the  
23           evaluation, unless an applicable collective bargaining  
24           agreement provides to the contrary. These subsequent  
25           evaluations shall be conducted by an evaluator. The  
26           consulting teacher shall provide advice to the teacher

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

14 (l) reinstatement to the evaluation schedule set forth  
15 in the district's evaluation plan for any teacher in  
16 contractual continued service who achieves a rating equal  
17 to or better than "satisfactory" or "proficient" in the  
18 school year following a rating of "needs improvement" or  
19 "unsatisfactory".

20 (m) dismissal in accordance with subsection (d) of  
21 Section 24-12 or Section 24-16.5 or 34-85 of this Code of  
22 any teacher who fails to complete any applicable  
23 remediation plan with a rating equal to or better than a  
24 "satisfactory" or "proficient" rating. Districts and  
25 teachers subject to dismissal hearings are precluded from  
26 compelling the testimony of consulting teachers at such



1           hearings under subsection (d) of Section 24-12 or Section  
2           24-16.5 or 34-85 of this Code, either as to the rating  
3           process or for opinions of performances by teachers under  
4           remediation.

5           (n) After the implementation date of an evaluation  
6           system for teachers in a district as specified in Section  
7           24A-2.5 of this Code, if a teacher in contractual  
8           continued service successfully completes a remediation  
9           plan following a rating of "unsatisfactory" in an overall  
10          performance evaluation received after the foregoing  
11          implementation date and receives a subsequent rating of  
12          "unsatisfactory" in any of the teacher's overall  
13          performance evaluation ratings received during the  
14          36-month period following the teacher's completion of the  
15          remediation plan, then the school district may forego  
16          remediation and seek dismissal in accordance with  
17          subsection (d) of Section 24-12 or Section 34-85 of this  
18          Code.

19          Nothing in this Section or Section 24A-4 shall be  
20          construed as preventing immediate dismissal of a teacher for  
21          deficiencies which are deemed irremediable or for actions  
22          which are injurious to or endanger the health or person of  
23          students in the classroom or school, or preventing the  
24          dismissal or non-renewal of teachers not in contractual  
25          continued service for any reason not prohibited by applicable  
26          employment, labor, and civil rights laws. Failure to strictly

1 comply with the time requirements contained in Section 24A-5  
2 shall not invalidate the results of the remediation plan.

3 Nothing contained in this amendatory Act of the 98th  
4 General Assembly repeals, supersedes, invalidates, or  
5 nullifies final decisions in lawsuits pending on the effective  
6 date of this amendatory Act of the 98th General Assembly in  
7 Illinois courts involving the interpretation of Public Act  
8 97-8.

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

25 (Source: P.A. 101-643, eff. 6-18-20; 102-252, eff. 1-1-22;  
26 102-729, eff. 5-6-22.)

1 (105 ILCS 5/24A-7) (from Ch. 122, par. 24A-7)

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 2022-2023 and 2023-2024 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 2022-2023 and 2023-2024 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 ~~For the 2022-2023 school year only, if the Governor has~~  
18 ~~declared a disaster due to a public health emergency pursuant~~  
19 ~~to Section 7 of the Illinois Emergency Management Agency Act,~~  
20 ~~a school district may waive the evaluation requirement of all~~  
21 ~~principals or assistant principals whose performances were~~  
22 ~~rated as either "excellent" or "proficient" during the last~~  
23 ~~school year in which the principals or assistant principals~~  
24 ~~were evaluated under this Section.~~

25 (b) The evaluation shall include a description of the  
26 principal's or assistant principal's duties and

1 responsibilities and the standards to which the principal or  
2 assistant principal is expected to conform.

3 (c) The evaluation for a principal must be performed by  
4 the district superintendent, the superintendent's designee,  
5 or, in the absence of the superintendent or his or her  
6 designee, an individual appointed by the school board who  
7 holds a registered Type 75 State administrative certificate.

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

10 (1) Consider the principal's specific duties,  
11 responsibilities, management, and competence as a  
12 principal.

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

15 (3) Align with research-based standards established by  
16 administrative rule.

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

21 (c-5) The evaluation of an assistant principal must be  
22 performed by the principal, the district superintendent, the  
23 superintendent's designee, or, in the absence of the  
24 superintendent or his or her designee, an individual appointed  
25 by the school board who holds a registered Type 75 State  
26 administrative certificate. The evaluation must be in writing

1 and must at least do all of the following:

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

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

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

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-5), provide for the use of data and indicators  
12 on student growth as a significant factor in rating  
13 performance.

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

18 (e) Failure by a district to evaluate a principal or  
19 assistant principal and to provide the principal or assistant  
20 principal with a copy of the evaluation at least once during  
21 the term of the principal's or assistant principal's contract,  
22 in accordance with this Section, is evidence that the  
23 principal or assistant principal is performing duties and  
24 responsibilities in at least a satisfactory manner and shall  
25 serve to automatically extend the principal's or assistant  
26 principal's contract for a period of one year after the



1 contract would otherwise expire, under the same terms and  
2 conditions as the prior year's contract. The requirements in  
3 this Section are in addition to the right of a school board to  
4 reclassify a principal or assistant principal pursuant to  
5 Section 10-23.8b of this Code.

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

9 (Source: P.A. 102-729, eff. 5-6-22.)

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