

1 AN ACT concerning schools.

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
5 Section 24-11 as follows:

6 (105 ILCS 5/24-11) (from Ch. 122, par. 24-11)

7 Sec. 24-11. Boards of Education - Boards of School
8 Inspectors - Contractual continued service. As used in this
9 and the succeeding Sections of this Article:

10 "Teacher" means any or all school district employees
11 regularly required to be certified under laws relating to the
12 certification of teachers.

13 "Board" means board of directors, board of education, or
14 board of school inspectors, as the case may be.

15 "School term" means that portion of the school year, July
16 1 to the following June 30, when school is in actual session.

17 This Section and Sections 24-12 through 24-16 of this
18 Article apply only to school districts having less than
19 500,000 inhabitants.

20 Any teacher who has been employed in any district as a
21 full-time teacher for a probationary period of 2 consecutive
22 school terms shall enter upon contractual continued service
23 unless given written notice of dismissal stating the specific
24 reason therefor, by certified mail, return receipt requested
25 by the employing board at least 45 days before the end of
26 such period; except that (i) for a teacher who is first
27 employed as a full-time teacher by a school district on or
28 after January 1, 1998 but before the effective date of this
29 amendatory Act of the 93rd General Assembly and who has not
30 before January 1, 1998 that--date already entered upon
31 contractual continued service in that district, the

1 probationary period shall be 4 consecutive school terms
2 before the teacher shall enter upon contractual continued
3 service and (ii) for a teacher who is first employed as a
4 full-time teacher by a school district on or after the
5 effective date of this amendatory Act of the 93rd General
6 Assembly and who has not before the date of this employment
7 already entered upon contractual continued service in any
8 district pursuant to this Section or achieved permanent
9 appointment pursuant to Section 34-84 of this Code, the
10 probationary period shall be 3 consecutive school terms
11 before the teacher shall enter upon contractual continued
12 service. For the purpose of determining contractual continued
13 service, the first probationary year shall be any full-time
14 employment from a date before November 1 through the end of
15 the school year. If, however, a teacher who was first
16 employed prior to January 1, 1998 or first employed on or
17 after the effective date of this amendatory Act of the 93rd
18 General Assembly has not had one school term of full-time
19 teaching experience before the beginning of the applicable a
20 probationary period of--2--consecutive--school--terms, the
21 employing board may at its option extend the probationary
22 period for one additional school term by giving the teacher
23 written notice by certified mail, return receipt requested,
24 at least 45 days before the end of the last second school
25 term of the applicable probationary period of--2--consecutive
26 school--terms--referred-to-above. This notice must state the
27 reasons for the one year extension and must outline the
28 corrective actions that the teacher must take to
29 satisfactorily complete probation. The changes made by
30 Public Act 90-653 and this amendatory Act of the 93rd General
31 Assembly this-amendatory--Act--of--1998 are declaratory of
32 existing law.

33 Any full-time teacher who is not completing the last year
34 of the probationary period described in the preceding

1 paragraph, or any teacher employed on a full-time basis not
2 later than January 1 of the school term, shall receive
3 written notice from the employing board at least 45 days
4 before the end of any school term whether or not he will be
5 re-employed for the following school term. If the board fails
6 to give such notice, the employee shall be deemed reemployed,
7 and not later than the close of the then current school term
8 the board shall issue a regular contract to the employee as
9 though the board had reemployed him in the usual manner.

10 Contractual continued service shall continue in effect
11 the terms and provisions of the contract with the teacher
12 during the last school term of the probationary period,
13 subject to this Act and the lawful regulations of the
14 employing board. This Section and succeeding Sections do not
15 modify any existing power of the board except with respect to
16 the procedure of the discharge of a teacher and reductions in
17 salary as hereinafter provided. Contractual continued service
18 status shall not restrict the power of the board to transfer
19 a teacher to a position which the teacher is qualified to
20 fill or to make such salary adjustments as it deems
21 desirable, but unless reductions in salary are uniform or
22 based upon some reasonable classification, any teacher whose
23 salary is reduced shall be entitled to a notice and a hearing
24 as hereinafter provided in the case of certain dismissals or
25 removals.

26 The employment of any teacher in a program of a special
27 education joint agreement established under Section 3-15.14,
28 10-22.31 or 10-22.31a shall be under this and succeeding
29 Sections of this Article. For purposes of attaining and
30 maintaining contractual continued service and computing
31 length of continuing service as referred to in this Section
32 and Section 24-12, employment in a special educational joint
33 program shall be deemed a continuation of all previous
34 certificated employment of such teacher for such joint

1 agreement whether the employer of the teacher was the joint
2 agreement, the regional superintendent, or one of the
3 participating districts in the joint agreement.

4 Any teacher employed after July 1, 1987 as a full-time
5 teacher in a program of a special education joint agreement,
6 whether the program is operated by the joint agreement or a
7 member district on behalf of the joint agreement, for a
8 probationary period of two consecutive school terms years
9 shall enter upon contractual continued service in all of the
10 programs conducted by such joint agreement which the teacher
11 is legally qualified to hold; except that (i) for a teacher
12 who is first employed on or after January 1, 1998 but before
13 the effective date of this amendatory Act of the 93rd General
14 Assembly in a program of a special education joint agreement
15 and who has not before January 1, 1998 that-date already
16 entered upon contractual continued service in all of the
17 programs conducted by the joint agreement that the teacher is
18 legally qualified to hold, the probationary period shall be 4
19 consecutive school terms years before the teacher enters upon
20 contractual continued service in all of those programs and
21 (ii) for a teacher who is first employed by a school district
22 on or after the effective date of this amendatory Act of the
23 93rd General Assembly in a program of a special education
24 joint agreement and who has not before the date of this
25 employment already entered upon contractual continued service
26 in any district pursuant to this Section or achieved
27 permanent appointment pursuant to Section 34-84 of this Code,
28 the probationary period shall be 3 consecutive school terms
29 before the teacher enters upon contractual continued service
30 in all of the programs conducted by the joint agreement for
31 which the teacher is legally qualified. In the event of a
32 reduction in the number of programs or positions in the joint
33 agreement, the teacher on contractual continued service shall
34 be eligible for employment in the joint agreement programs

1 for which the teacher is legally qualified in order of
2 greater length of continuing service in the joint agreement
3 unless an alternative method of determining the sequence of
4 dismissal is established in a collective bargaining
5 agreement. In the event of the dissolution of a joint
6 agreement, the teacher on contractual continued service who
7 is legally qualified shall be assigned to any comparable
8 position in a member district currently held by a teacher who
9 has not entered upon contractual continued service or held by
10 a teacher who has entered upon contractual continued service
11 with shorter length of contractual continued service.

12 The governing board of the joint agreement, or the
13 administrative district, if so authorized by the articles of
14 agreement of the joint agreement, rather than the board of
15 education of a school district, may carry out employment and
16 termination actions including dismissals under this Section
17 and Section 24-12.

18 For purposes of this and succeeding Sections of this
19 Article, a program of a special educational joint agreement
20 shall be defined as instructional, consultative, supervisory,
21 administrative, diagnostic, and related services which are
22 managed by the special educational joint agreement designed
23 to service two or more districts which are members of the
24 joint agreement.

25 Each joint agreement shall be required to post by
26 February 1, a list of all its employees in order of length of
27 continuing service in the joint agreement, unless an
28 alternative method of determining a sequence of dismissal is
29 established in an applicable collective bargaining agreement.

30 The employment of any teacher in a special education
31 program authorized by Section 14-1.01 through 14-14.01, or a
32 joint educational program established under Section
33 10-22.31a, shall be under this and the succeeding Sections of
34 this Article, and such employment shall be deemed a

1 continuation of the previous employment of such teacher in
2 any of the participating districts, regardless of the
3 participation of other districts in the program. Any teacher
4 employed as a full-time teacher in a special education
5 program prior to September 23, 1987 in which 2 or more school
6 districts participate for a probationary period of 2
7 consecutive years shall enter upon contractual continued
8 service in each of the participating districts, subject to
9 this and the succeeding Sections of this Article, and in the
10 event of the termination of the program shall be eligible for
11 any vacant position in any of such districts for which such
12 teacher is qualified.

13 (Source: P.A. 90-548, eff. 1-1-98; 90-653, eff. 7-29-98.)

14 Section 90. The State Mandates Act is amended by adding
15 Section 8.27 as follows:

16 (30 ILCS 805/8.27 new)

17 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6
18 and 8 of this Act, no reimbursement by the State is required
19 for the implementation of any mandate created by this
20 amendatory Act of the 93rd General Assembly.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.