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1 AMENDMENT TO SENATE BILL 630

2 AMENDMENT NO. _____. Amend Senate Bill 630 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 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 and
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 1
16 to the following June 30, when school is in actual session.

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

4 Any teacher who has been employed in any district as a
5 full-time teacher for a probationary period of 2 consecutive
6 school terms shall enter upon contractual continued service
7 unless given written notice of dismissal stating the specific
8 reason therefor, by certified mail, return receipt requested by
9 the employing board at least 45 days before the end of such
10 period; except that for a teacher who is first employed as a
11 full-time teacher by a school district on or after January 1,
12 1998 and who has not before that date already entered upon
13 contractual continued service in that district, the
14 probationary period shall be 4 consecutive school terms before
15 the teacher shall enter upon contractual continued service. For
16 the purpose of determining contractual continued service, the
17 first probationary year shall be any full-time employment from
18 a date before November 1 through the end of the school year.
19 If, however, a teacher who was first employed prior to January
20 1, 1998 has not had one school term of full-time teaching
21 experience before the beginning of a probationary period of 2
22 consecutive school terms, the employing board may at its option
23 extend the probationary period for one additional school term
24 by giving the teacher written notice by certified mail, return
25 receipt requested, at least 45 days before the end of the
26 second school term of the period of 2 consecutive school terms

1 referred to above. This notice must state the reasons for the
2 one year extension and must outline the corrective actions that
3 the teacher must take to satisfactorily complete probation. The
4 changes made by this amendatory Act of 1998 are declaratory of
5 existing law.

6 Any full-time teacher who is not completing the last year
7 of the probationary period described in the preceding
8 paragraph, or any teacher employed on a full-time basis not
9 later than January 1 of the school term, shall receive written
10 notice from the employing board at least 45 days before the end
11 of any school term whether or not he will be re-employed for
12 the following school term. If the board fails to give such
13 notice, the employee shall be deemed reemployed, and not later
14 than the close of the then current school term the board shall
15 issue a regular contract to the employee as though the board
16 had reemployed him in the usual manner.

17 Contractual continued service shall continue in effect the
18 terms and provisions of the contract with the teacher during
19 the last school term of the probationary period, subject to
20 this Act and the lawful regulations of the employing board.
21 This Section and succeeding Sections do not modify any existing
22 power of the board except with respect to the procedure of the
23 discharge of a teacher and reductions in salary as hereinafter
24 provided. Contractual continued service status shall not
25 restrict the power of the board to transfer a teacher to a
26 position which the teacher is qualified to fill or to make such

1 salary adjustments as it deems desirable, but unless reductions
2 in salary are uniform or based upon some reasonable
3 classification, any teacher whose salary is reduced shall be
4 entitled to a notice and a hearing as hereinafter provided in
5 the case of certain dismissals or removals.

6 The employment of any teacher in a program of a special
7 education joint agreement established under Section 3-15.14,
8 10-22.31 or 10-22.31a shall be under this and succeeding
9 Sections of this Article. For purposes of attaining and
10 maintaining contractual continued service and computing length
11 of continuing service as referred to in this Section and
12 Section 24-12, employment in a special educational joint
13 program shall be deemed a continuation of all previous
14 certificated employment of such teacher for such joint
15 agreement whether the employer of the teacher was the joint
16 agreement, the regional superintendent, or one of the
17 participating districts in the joint agreement.

18 Any teacher employed after July 1, 1987 as a full-time
19 teacher in a program of a special education joint agreement,
20 whether the program is operated by the joint agreement or a
21 member district on behalf of the joint agreement, for a
22 probationary period of two consecutive years shall enter upon
23 contractual continued service in all of the programs conducted
24 by such joint agreement which the teacher is legally qualified
25 to hold; except that for a teacher who is first employed on or
26 after January 1, 1998 in a program of a special education joint

1 agreement and who has not before that date already entered upon
2 contractual continued service in all of the programs conducted
3 by the joint agreement that the teacher is legally qualified to
4 hold, the probationary period shall be 4 consecutive years
5 before the teacher enters upon contractual continued service in
6 all of those programs. In the event of a reduction in the
7 number of programs or positions in the joint agreement, the
8 teacher on contractual continued service shall be eligible for
9 employment in the joint agreement programs for which the
10 teacher is legally qualified in order of greater length of
11 continuing service in the joint agreement unless an alternative
12 method of determining the sequence of dismissal is established
13 in a collective bargaining agreement. In the event of the
14 dissolution of a joint agreement, the teacher on contractual
15 continued service who is legally qualified shall be assigned to
16 any comparable position in a member district currently held by
17 a teacher who has not entered upon contractual continued
18 service or held by a teacher who has entered upon contractual
19 continued service with shorter length of contractual continued
20 service.

21 The governing board of the joint agreement, or the
22 administrative district, if so authorized by the articles of
23 agreement of the joint agreement, rather than the board of
24 education of a school district, may carry out employment and
25 termination actions including dismissals under this Section
26 and Section 24-12.

1 For purposes of this and succeeding Sections of this
2 Article, a program of a special educational joint agreement
3 shall be defined as instructional, consultative, supervisory,
4 administrative, diagnostic, and related services which are
5 managed by the special educational joint agreement designed to
6 service two or more districts which are members of the joint
7 agreement.

8 Each joint agreement shall be required to post by February
9 1, a list of all its employees in order of length of continuing
10 service in the joint agreement, unless an alternative method of
11 determining a sequence of dismissal is established in an
12 applicable collective bargaining agreement.

13 The employment of any teacher in a special education
14 program authorized by Section 14-1.01 through 14-14.01, or a
15 joint educational program established under Section 10-22.31a,
16 shall be under this and the succeeding Sections of this
17 Article, and such employment shall be deemed a continuation of
18 the previous employment of such teacher in any of the
19 participating districts, regardless of the participation of
20 other districts in the program. Any teacher employed as a
21 full-time teacher in a special education program prior to
22 September 23, 1987 in which 2 or more school districts
23 participate for a probationary period of 2 consecutive years
24 shall enter upon contractual continued service in each of the
25 participating districts, subject to this and the succeeding
26 Sections of this Article, and in the event of the termination

1 of the program shall be eligible for any vacant position in any
2 of such districts for which such teacher is qualified.
3 (Source: P.A. 90-548, eff. 1-1-98; 90-653, eff. 7-29-98.)".