



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2851

by Rep. Deborah Conroy

SYNOPSIS AS INTRODUCED:

105 ILCS 5/24A-7.1
105 ILCS 5/24A-20
105 ILCS 5/34-85c

Amends the School Code. Provides that, upon the request of the parents or legal guardian of a student, a school district shall fully disclose and release to the parents or legal guardian, in any manner, including by phone or in person, the performance evaluation for each of the teachers and for the principal of the school building to which the student is assigned for the current school year. Sets forth district requirements with respect to this disclosure. With respect to the State Board of Education's system to annually collect and publish data on teacher and administrator performance evaluation outcomes, adds additional data to be collected and published. Effective July 1, 2013.

LRB098 07730 NHT 37808 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 24A-7.1, 24A-20, and 34-85c as follows:

6 (105 ILCS 5/24A-7.1)

7 Sec. 24A-7.1. Teacher, principal, and superintendent
8 performance evaluations; disclosure. Except as otherwise
9 provided under this Article Act, disclosure of public school
10 teacher, principal, and superintendent performance evaluations
11 is prohibited. Upon the request of the parents or legal
12 guardian of a student, a school district shall fully disclose
13 and release to the parents or legal guardian, in any manner,
14 including by phone or in person, the performance evaluation for
15 each of the teachers and for the principal of the school
16 building to which the student is assigned for the current
17 school year. With respect to this disclosure, the school
18 district shall do all of the following:

19 (1) Give all parents and legal guardians conspicuous
20 notice of their right to obtain this information.

21 (2) Explain the performance evaluations to parents and
22 legal guardians orally or in writing.

23 (3) Offer parents and legal guardians opportunities to

1 understand the performance evaluations in the context of
2 teacher and principal evaluation and student performance.

3 (4) Make reasonable efforts to verify that any review
4 request is a bona fide request by a parent or legal
5 guardian entitled to review and to receive the requested
6 data.

7 (Source: P.A. 96-861, eff. 1-15-10.)

8 (105 ILCS 5/24A-20)

9 Sec. 24A-20. State Board of Education data collection and
10 evaluation assessment and support systems.

11 (a) On or before the date established in subsection (b) of
12 this Section, the State Board of Education shall, through a
13 process involving collaboration with the Performance
14 Evaluation Advisory Council, develop or contract for the
15 development of and implement all of the following data
16 collection and evaluation assessment and support systems:

17 (1) A system to annually collect and publish data ~~by~~
18 ~~district and school~~ on teacher and administrator
19 performance evaluation outcomes by district, school,
20 class, subject, and grade, as well as by region, district
21 wealth, district-need category, student enrollment, type
22 of school (i.e., elementary, middle, or high school),
23 student need (e.g., poverty level), and district spending.
24 The system shall also annually collect and publish data on
25 the percentage or number of teachers and principals in each

1 performance evaluation rating category, the percentage or
2 number moving to a higher rating category than the previous
3 year, the percentage or number moving to a lower rating
4 category than the previous year, and the percentage or
5 number retained in each rating category and data on tenure
6 granting and denial based on performance evaluations. The
7 system must ensure that no teacher or administrator can be
8 personally identified by publicly reported data.

9 (2) Both a teacher and principal model evaluation
10 template. The model templates must incorporate the
11 requirements of this Article and any other requirements
12 established by the State Board by administrative rule, but
13 allow customization by districts in a manner that does not
14 conflict with such requirements.

15 (3) An evaluator pre-qualification program based on
16 the model teacher evaluation template.

17 (4) An evaluator training program based on the model
18 teacher evaluation template. The training program shall
19 provide multiple training options that account for the
20 prior training and experience of the evaluator.

21 (5) A superintendent training program based on the
22 model principal evaluation template.

23 (6) One or more instruments to provide feedback to
24 principals on the instructional environment within a
25 school.

26 (7) A State Board-provided or approved technical

1 assistance system that supports districts with the
2 development and implementation of teacher and principal
3 evaluation systems.

4 (8) Web-based systems and tools supporting
5 implementation of the model templates and the evaluator
6 pre-qualification and training programs.

7 (9) A process for measuring and reporting correlations
8 between local principal and teacher evaluations and (A)
9 student growth in tested grades and subjects and (B)
10 retention rates of teachers.

11 (10) A process for assessing whether school district
12 evaluation systems developed pursuant to this Act and that
13 consider student growth as a significant factor in the
14 rating of a teacher's and principal's performance are valid
15 and reliable, contribute to the development of staff, and
16 improve student achievement outcomes. By no later than
17 September 1, 2014, a research-based study shall be issued
18 assessing such systems for validity and reliability,
19 contribution to the development of staff, and improvement
20 of student performance and recommending, based on the
21 results of this study, changes, if any, that need to be
22 incorporated into teacher and principal evaluation systems
23 that consider student growth as a significant factor in the
24 rating performance for remaining school districts to be
25 required to implement such systems.

26 (b) If the State of Illinois receives a Race to the Top

1 Grant, the data collection and support systems described in
2 subsection (a) must be developed on or before September 30,
3 2011. If the State of Illinois does not receive a Race to the
4 Top Grant, the data collection and support systems described in
5 subsection (a) must be developed on or before September 30,
6 2012; provided, however, that the data collection and support
7 systems set forth in items (3) and (4) of subsection (a) of
8 this Section must be developed by September 30, 2011 regardless
9 of whether the State of Illinois receives a Race to the Top
10 Grant. By no later than September 1, 2011, if the State of
11 Illinois receives a Race to the Top Grant, or September 1,
12 2012, if the State of Illinois does not receive a Race to the
13 Top Grant, the State Board of Education must execute or
14 contract for the execution of the assessment referenced in item
15 (10) of subsection (a) of this Section to determine whether the
16 school district evaluation systems developed pursuant to this
17 Act have been valid and reliable, contributed to the
18 development of staff, and improved student performance.

19 (c) Districts shall submit data and information to the
20 State Board on teacher and principal performance evaluations
21 and evaluation plans in accordance with procedures and
22 requirements for submissions established by the State Board.
23 Such data shall include, without limitation, (i) data on the
24 performance rating given to all teachers in contractual
25 continued service, (ii) data on district recommendations to
26 renew or not renew teachers not in contractual continued

1 service, and (iii) data on the performance rating given to all
2 principals.

3 (d) If the State Board of Education does not timely fulfill
4 any of the requirements set forth in Sections 24A-7 and 24A-20,
5 and adequate and sustainable federal, State, or other funds are
6 not provided to the State Board of Education and school
7 districts to meet their responsibilities under this Article,
8 the applicable implementation date shall be postponed by the
9 number of calendar days equal to those needed by the State
10 Board of Education to fulfill such requirements and for the
11 adequate and sustainable funds to be provided to the State
12 Board of Education and school districts. The determination as
13 to whether the State Board of Education has fulfilled any or
14 all requirements set forth in Sections 24A-7 and 24A-20 and
15 whether adequate and sustainable funds have been provided to
16 the State Board of Education and school districts shall be made
17 by the State Board of Education in consultation with the P-20
18 Council.

19 (Source: P.A. 96-861, eff. 1-15-10.)

20 (105 ILCS 5/34-85c)

21 Sec. 34-85c. Alternative procedures for teacher
22 evaluation, remediation, and removal for cause after
23 remediation.

24 (a) Notwithstanding any law to the contrary, the board and
25 the exclusive representative of the district's teachers are

1 hereby authorized to enter into an agreement to establish
2 alternative procedures for teacher evaluation, remediation,
3 and removal for cause after remediation, including an
4 alternative system for peer evaluation and recommendations;
5 provided, however, that no later than September 1, 2012: (i)
6 any alternative procedures must include provisions whereby
7 student performance data is a significant factor in teacher
8 evaluation and (ii) teachers are rated as "excellent",
9 "proficient", "needs improvement" or "unsatisfactory".
10 Pursuant exclusively to that agreement, teachers assigned to
11 schools identified in that agreement shall be subject to an
12 alternative performance evaluation plan and remediation
13 procedures in lieu of the plan and procedures set forth in
14 Article 24A of this Code and alternative removal for cause
15 standards and procedures in lieu of the removal standards and
16 procedures set forth in Section 34-85 of this Code. To the
17 extent that the agreement provides a teacher with an
18 opportunity for a hearing on removal for cause before an
19 independent hearing officer in accordance with Section 34-85 or
20 otherwise, the hearing officer shall be governed by the
21 alternative performance evaluation plan, remediation
22 procedures, and removal standards and procedures set forth in
23 the agreement in making findings of fact and a recommendation.

24 (b) The board and the exclusive representative of the
25 district's teachers shall submit a certified copy of an
26 agreement as provided under subsection (a) of this Section to

1 the State Board of Education.

2 (c) With respect to teacher evaluations, the school
3 district shall comply with Section 24A-7.1 of this Code and
4 shall submit data and information to the State Board of
5 Education to enable the State Board to comply with subdivision
6 (1) of subsection (a) of Section 24A-20 of this Code.

7 (Source: P.A. 96-861, eff. 1-15-10; 97-8, eff. 6-13-11.)

8 Section 99. Effective date. This Act takes effect July 1,
9 2013.