

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 24-16.5, 24A-2.5, 24A-4, 24A-5, 24A-7, 24A-15, 24A-20, 34-8,  
6 and 34-85c as follows:

7 (105 ILCS 5/24-16.5)

8 Sec. 24-16.5. Optional alternative evaluative dismissal  
9 process for PERA evaluations.

10 (a) As used in this Section:

11 "Applicable hearing requirements" means (i) for any school  
12 district having less than 500,000 inhabitants or a program of  
13 a special education joint agreement, those procedures and  
14 requirements relating to a teacher's request for a hearing,  
15 selection of a hearing officer, pre-hearing and hearing  
16 procedures, and post-hearing briefs set forth in paragraphs  
17 (1) through (6) of subsection (d) of Section 24-12 of this Code  
18 or (ii) for a school district having 500,000 inhabitants or  
19 more, those procedures and requirements relating to a  
20 teacher's request for a hearing, selection of a hearing  
21 officer, pre-hearing and hearing procedures, and post-hearing  
22 briefs set forth in paragraphs (1) through (5) of subsection  
23 (a) of Section 34-85 of this Code.

1       "Board" means, for a school district having less than  
2       500,000 inhabitants or a program of a special education joint  
3       agreement, the board of directors, board of education, or  
4       board of school inspectors, as the case may be. For a school  
5       district having 500,000 inhabitants or more, "board" means the  
6       Chicago Board of Education.

7       "Evaluator" means an evaluator, as defined in Section  
8       24A-2.5 of this Code, who has successfully completed the  
9       pre-qualification program described in subsection (b) of  
10      Section 24A-3 of this Code.

11      "PERA-trained board member" means a member of a board that  
12      has completed a training program on PERA evaluations either  
13      administered or approved by the State Board of Education.

14      "PERA evaluation" means a performance evaluation of a  
15      teacher after the implementation date of an evaluation system  
16      for teachers, as specified by Section 24A-2.5 of this Code,  
17      using a performance evaluation instrument and process that  
18      meets the minimum requirements for teacher evaluation  
19      instruments and processes set forth in rules adopted by the  
20      State Board of Education to implement Public Act 96-861.

21      "Remediation" means the remediation plan, mid-point and  
22      final evaluations, and related processes and requirements set  
23      forth in subdivisions (i), (j), and (k) of Section 24A-5 of  
24      this Code.

25      "School district" means a school district or a program of  
26      a special education joint agreement.

1 "Second evaluator" means an evaluator who either conducts  
2 the mid-point and final remediation evaluation or conducts an  
3 independent assessment of whether the teacher completed the  
4 remediation plan with a rating equal to or better than a  
5 "Proficient" rating, all in accordance with subdivision (c) of  
6 this Section.

7 ~~"Student growth components" means the components of a~~  
8 ~~performance evaluation plan described in subdivision (c) of~~  
9 ~~Section 24A-5 of this Code, as may be supplemented by~~  
10 ~~administrative rules adopted by the State Board of Education.~~

11 "Teacher practice components" means the components of a  
12 performance evaluation plan described in subdivisions (a) and  
13 (b) of Section 24A-5 of this Code, as may be supplemented by  
14 administrative rules adopted by the State Board of Education.

15 "Teacher representatives" means the exclusive bargaining  
16 representative of a school district's teachers or, if no  
17 exclusive bargaining representatives exists, a representative  
18 committee selected by teachers.

19 (b) This Section applies to all school districts,  
20 including those having 500,000 or more inhabitants. The  
21 optional dismissal process set forth in this Section is an  
22 alternative to those set forth in Sections 24-12 and 34-85 of  
23 this Code. Nothing in this Section is intended to change the  
24 existing practices or precedents under Section 24-12 or 34-85  
25 of this Code, nor shall this Section be interpreted as  
26 implying standards and procedures that should or must be used

1 as part of a remediation that precedes a dismissal sought  
2 under Section 24-12 or 34-85 of this Code.

3 A board may dismiss a teacher who has entered upon  
4 contractual continued service under this Section if the  
5 following are met:

6 (1) the cause of dismissal is that the teacher has  
7 failed to complete a remediation plan with a rating equal  
8 to or better than a "Proficient" rating;

9 (2) the "Unsatisfactory" performance evaluation rating  
10 that preceded remediation resulted from a PERA evaluation;  
11 and

12 (3) the school district has complied with subsection  
13 (c) of this Section.

14 A school district may not, through agreement with a  
15 teacher or its teacher representatives, waive its right to  
16 dismiss a teacher under this Section.

17 (c) Each school district electing to use the dismissal  
18 process set forth in this Section must comply with the  
19 pre-remediation and remediation activities and requirements  
20 set forth in this subsection (c).

21 (1) Before a school district's first remediation  
22 relating to a dismissal under this Section, the school  
23 district must create and establish a list of at least 2  
24 evaluators who will be available to serve as second  
25 evaluators under this Section. The school district shall  
26 provide its teacher representatives with an opportunity to

1 submit additional names of teacher evaluators who will be  
2 available to serve as second evaluators and who will be  
3 added to the list created and established by the school  
4 district, provided that, unless otherwise agreed to by the  
5 school district, the teacher representatives may not  
6 submit more teacher evaluators for inclusion on the list  
7 than the number of evaluators submitted by the school  
8 district. Each teacher evaluator must either have (i)  
9 National Board of Professional Teaching Standards  
10 certification, with no "Unsatisfactory" or "Needs  
11 Improvement" performance evaluating ratings in his or her  
12 2 most recent performance evaluation ratings; or (ii)  
13 "Excellent" performance evaluation ratings in 2 of his or  
14 her 3 most recent performance evaluations, with no "Needs  
15 Improvement" or "Unsatisfactory" performance evaluation  
16 ratings in his or her last 3 ratings. If the teacher  
17 representatives do not submit a list of teacher evaluators  
18 within 21 days after the school district's request, the  
19 school district may proceed with a remediation using a  
20 list that includes only the school district's selections.  
21 Either the school district or the teacher representatives  
22 may revise or add to their selections for the list at any  
23 time with notice to the other party, subject to the  
24 limitations set forth in this paragraph (1).

25 (2) Before a school district's first remediation  
26 relating to a dismissal under this Section, the school

1 district shall, in good faith cooperation with its teacher  
2 representatives, establish a process for the selection of  
3 a second evaluator from the list created pursuant to  
4 paragraph (1) of this subsection (c). Such process may be  
5 amended at any time in good faith cooperation with the  
6 teacher representatives. If the teacher representatives  
7 are given an opportunity to cooperate with the school  
8 district and elect not to do so, the school district may,  
9 at its discretion, establish or amend the process for  
10 selection. Before the hearing officer and as part of any  
11 judicial review of a dismissal under this Section, a  
12 teacher may not challenge a remediation or dismissal on  
13 the grounds that the process used by the school district  
14 to select a second evaluator was not established in good  
15 faith cooperation with its teacher representatives.

16 (3) For each remediation preceding a dismissal under  
17 this Section, the school district shall select a second  
18 evaluator from the list of second evaluators created  
19 pursuant to paragraph (1) of this subsection (c), using  
20 the selection process established pursuant to paragraph  
21 (2) of this subsection (c). The selected second evaluator  
22 may not be the same individual who determined the  
23 teacher's "Unsatisfactory" performance evaluation rating  
24 preceding remediation, and, if the second evaluator is an  
25 administrator, may not be a direct report to the  
26 individual who determined the teacher's "Unsatisfactory"

1 performance evaluation rating preceding remediation. The  
2 school district's authority to select a second evaluator  
3 from the list of second evaluators must not be delegated  
4 or limited through any agreement with the teacher  
5 representatives, provided that nothing shall prohibit a  
6 school district and its teacher representatives from  
7 agreeing to a formal peer evaluation process as permitted  
8 under Article 24A of this Code that could be used to meet  
9 the requirements for the selection of second evaluators  
10 under this subsection (c).

11 (4) The second evaluator selected pursuant to  
12 paragraph (3) of this subsection (c) must either (i)  
13 conduct the mid-point and final evaluation during  
14 remediation or (ii) conduct an independent assessment of  
15 whether the teacher completed the remediation plan with a  
16 rating equal to or better than a "Proficient" rating,  
17 which independent assessment shall include, but is not  
18 limited to, personal or video-recorded observations of the  
19 teacher that relate to the teacher practice components of  
20 the remediation plan. Nothing in this subsection (c) shall  
21 be construed to limit or preclude the participation of the  
22 evaluator who rated a teacher as "Unsatisfactory" in  
23 remediation.

24 (d) To institute a dismissal proceeding under this  
25 Section, the board must first provide written notice to the  
26 teacher within 30 days after the completion of the final

1 remediation evaluation. The notice shall comply with the  
2 applicable hearing requirements and, in addition, must specify  
3 that dismissal is sought under this Section and include a copy  
4 of each performance evaluation relating to the scope of the  
5 hearing as described in this subsection (d).

6 The applicable hearing requirements shall apply to the  
7 teacher's request for a hearing, the selection and  
8 qualifications of the hearing officer, and pre-hearing and  
9 hearing procedures, except that all of the following must be  
10 met:

11 (1) The hearing officer must, in addition to meeting  
12 the qualifications set forth in the applicable hearing  
13 requirements, have successfully completed the  
14 pre-qualification program described in subsection (b) of  
15 Section 24A-3 of this Code, unless the State Board of  
16 Education waives this requirement to provide an adequate  
17 pool of hearing officers for consideration.

18 (2) The scope of the hearing must be limited as  
19 follows:

20 (A) The school district must demonstrate the  
21 following:

22 (i) that the "Unsatisfactory" performance  
23 evaluation rating that preceded remediation  
24 applied the teacher practice components and  
25 student growth components, if any, and determined  
26 an overall evaluation rating of "Unsatisfactory"

1 in accordance with the standards and requirements  
2 of the school district's evaluation plan;

3 (ii) that the remediation plan complied with  
4 the requirements of Section 24A-5 of this Code;

5 (iii) that the teacher failed to complete the  
6 remediation plan with a performance evaluation  
7 rating equal to or better than a "Proficient"  
8 rating, based upon a final remediation evaluation  
9 meeting the applicable standards and requirements  
10 of the school district's evaluation plan; and

11 (iv) that if the second evaluator selected  
12 pursuant to paragraph (3) of subsection (c) of  
13 this Section does not conduct the mid-point and  
14 final evaluation and makes an independent  
15 assessment that the teacher completed the  
16 remediation plan with a rating equal to or better  
17 than a "Proficient" rating, the school district  
18 must demonstrate that the final remediation  
19 evaluation is a more valid assessment of the  
20 teacher's performance than the assessment made by  
21 the second evaluator.

22 (B) The teacher may only challenge the substantive  
23 and procedural aspects of (i) the "Unsatisfactory"  
24 performance evaluation rating that led to the  
25 remediation, (ii) the remediation plan, and (iii) the  
26 final remediation evaluation. To the extent the

1 teacher challenges procedural aspects, including any  
2 in applicable collective bargaining agreement  
3 provisions, of a relevant performance evaluation  
4 rating or the remediation plan, the teacher must  
5 demonstrate how an alleged procedural defect  
6 materially affected the teacher's ability to  
7 demonstrate a level of performance necessary to avoid  
8 remediation or dismissal or successfully complete the  
9 remediation plan. Without any such material effect, a  
10 procedural defect shall not impact the assessment by  
11 the hearing officer, board, or reviewing court of the  
12 validity of a performance evaluation or a remediation  
13 plan.

14 (C) The hearing officer shall only consider and  
15 give weight to performance evaluations relevant to the  
16 scope of the hearing as described in clauses (A) and  
17 (B) of this subdivision (2).

18 (3) Each party shall be given only 2 days to present  
19 evidence and testimony relating to the scope of the  
20 hearing, unless a longer period is mutually agreed to by  
21 the parties or deemed necessary by the hearing officer to  
22 enable a party to present adequate evidence and testimony  
23 to address the scope of the hearing, including due to the  
24 other party's cross-examination of the party's witnesses.

25 (e) The provisions of Sections 24-12 and 34-85 pertaining  
26 to the decision or recommendation of the hearing officer do

1 not apply to dismissal proceedings under this Section. For any  
2 dismissal proceedings under this Section, the hearing officer  
3 shall not issue a decision, and shall issue only findings of  
4 fact and a recommendation, including the reasons therefor, to  
5 the board to either retain or dismiss the teacher and shall  
6 give a copy of the report to both the teacher and the  
7 superintendent of the school district. The hearing officer's  
8 findings of fact and recommendation must be issued within 30  
9 days from the close of the record of the hearing.

10 The State Board of Education shall adopt rules regarding  
11 the length of the hearing officer's findings of fact and  
12 recommendation. If a hearing officer fails without good cause,  
13 specifically provided in writing to both parties and the State  
14 Board of Education, to render a recommendation within 30 days  
15 after the hearing is concluded or the record is closed,  
16 whichever is later, the parties may mutually agree to select a  
17 hearing officer pursuant to the alternative procedure, as  
18 provided in Section 24-12 or 34-85, to rehear the charges  
19 heard by the hearing officer who failed to render a  
20 recommendation or to review the record and render a  
21 recommendation. If any hearing officer fails without good  
22 cause, specifically provided in writing to both parties and  
23 the State Board of Education, to render a recommendation  
24 within 30 days after the hearing is concluded or the record is  
25 closed, whichever is later, the hearing officer shall be  
26 removed from the master list of hearing officers maintained by

1 the State Board of Education for not more than 24 months. The  
2 parties and the State Board of Education may also take such  
3 other actions as it deems appropriate, including recovering,  
4 reducing, or withholding any fees paid or to be paid to the  
5 hearing officer. If any hearing officer repeats such failure,  
6 he or she shall be permanently removed from the master list of  
7 hearing officers maintained by the State Board of Education.

8 (f) The board, within 45 days after receipt of the hearing  
9 officer's findings of fact and recommendation, shall decide,  
10 through adoption of a written order, whether the teacher must  
11 be dismissed from its employ or retained, provided that only  
12 PERA-trained board members may participate in the vote with  
13 respect to the decision.

14 If the board dismisses the teacher notwithstanding the  
15 hearing officer's recommendation of retention, the board shall  
16 make a conclusion, giving its reasons therefor, and such  
17 conclusion and reasons must be included in its written order.  
18 The failure of the board to strictly adhere to the timelines  
19 contained in this Section does not render it without  
20 jurisdiction to dismiss the teacher. The board shall not lose  
21 jurisdiction to discharge the teacher if the hearing officer  
22 fails to render a recommendation within the time specified in  
23 this Section. The decision of the board is final, unless  
24 reviewed as provided in subsection (g) of this Section.

25 If the board retains the teacher, the board shall enter a  
26 written order stating the amount of back pay and lost

1 benefits, less mitigation, to be paid to the teacher, within  
2 45 days of its retention order.

3 (g) A teacher dismissed under this Section may apply for  
4 and obtain judicial review of a decision of the board in  
5 accordance with the provisions of the Administrative Review  
6 Law, except as follows:

7 (1) for a teacher dismissed by a school district  
8 having 500,000 inhabitants or more, such judicial review  
9 must be taken directly to the appellate court of the  
10 judicial district in which the board maintains its primary  
11 administrative office, and any direct appeal to the  
12 appellate court must be filed within 35 days from the date  
13 that a copy of the decision sought to be reviewed was  
14 served upon the teacher;

15 (2) for a teacher dismissed by a school district  
16 having less than 500,000 inhabitants after the hearing  
17 officer recommended dismissal, such judicial review must  
18 be taken directly to the appellate court of the judicial  
19 district in which the board maintains its primary  
20 administrative office, and any direct appeal to the  
21 appellate court must be filed within 35 days from the date  
22 that a copy of the decision sought to be reviewed was  
23 served upon the teacher; and

24 (3) for all school districts, if the hearing officer  
25 recommended dismissal, the decision of the board may be  
26 reversed only if it is found to be arbitrary, capricious,

1 an abuse of discretion, or not in accordance with law.

2 In the event judicial review is instituted by a teacher,  
3 any costs of preparing and filing the record of proceedings  
4 must be paid by the teacher. If a decision of the board is  
5 adjudicated upon judicial review in favor of the teacher, then  
6 the court shall remand the matter to the board with direction  
7 for entry of an order setting the amount of back pay, lost  
8 benefits, and costs, less mitigation. The teacher may  
9 challenge the board's order setting the amount of back pay,  
10 lost benefits, and costs, less mitigation, through an  
11 expedited arbitration procedure with the costs of the  
12 arbitrator borne by the board.

13 (Source: P.A. 97-8, eff. 6-13-11; 98-513, eff. 1-1-14.)

14 (105 ILCS 5/24A-2.5)

15 Sec. 24A-2.5. Definitions. In this Article:

16 "Evaluator" means:

17 (1) an administrator qualified under Section 24A-3; or

18 (2) other individuals qualified under Section 24A-3,  
19 provided that, if such other individuals are in the  
20 bargaining unit of a district's teachers, the district and  
21 the exclusive bargaining representative of that unit must  
22 agree to those individuals evaluating other bargaining  
23 unit members.

24 Notwithstanding anything to the contrary in item (2) of  
25 this definition, a school district operating under Article 34

1 of this Code may require department chairs qualified under  
2 Section 24A-3 to evaluate teachers in their department or  
3 departments, provided that the school district shall bargain  
4 with the bargaining representative of its teachers over the  
5 impact and effects on department chairs of such a requirement.

6 ~~"Implementation date" means, unless otherwise specified~~  
7 ~~and provided that the requirements set forth in subsection (d)~~  
8 ~~of Section 24A-20 have been met:~~

9 ~~(1) For school districts having 500,000 or more~~  
10 ~~inhabitants, in at least 300 schools by September 1, 2012~~  
11 ~~and in the remaining schools by September 1, 2013.~~

12 ~~(2) For school districts having less than 500,000~~  
13 ~~inhabitants and receiving a Race to the Top Grant or~~  
14 ~~School Improvement Grant after the effective date of this~~  
15 ~~amendatory Act of the 96th General Assembly, the date~~  
16 ~~specified in those grants for implementing an evaluation~~  
17 ~~system for teachers and principals incorporating student~~  
18 ~~growth as a significant factor.~~

19 ~~(3) For the lowest performing 20% percent of remaining~~  
20 ~~school districts having less than 500,000 inhabitants~~  
21 ~~(with the measure of and school year or years used for~~  
22 ~~school district performance to be determined by the State~~  
23 ~~Superintendent of Education at a time determined by the~~  
24 ~~State Superintendent), September 1, 2015.~~

25 ~~(4) For all other school districts having less than~~  
26 ~~500,000 inhabitants, September 1, 2016.~~

1       ~~Notwithstanding items (3) and (4) of this definition, a~~  
2       ~~school district and the exclusive bargaining representative of~~  
3       ~~its teachers may jointly agree in writing to an earlier~~  
4       ~~implementation date, provided that such date must not be~~  
5       ~~earlier than September 1, 2013. The written agreement of the~~  
6       ~~district and the exclusive bargaining representative must be~~  
7       ~~transmitted to the State Board of Education.~~

8       ~~"Race to the Top Grant" means a grant made by the Secretary~~  
9       ~~of the U.S. Department of Education for the program first~~  
10       ~~funded pursuant to paragraph (2) of Section 14006(a) of the~~  
11       ~~American Recovery and Reinvestment Act of 2009.~~

12       ~~"School Improvement Grant" means a grant made by the~~  
13       ~~Secretary of the U.S. Department of Education pursuant to~~  
14       ~~Section 1003(g) of the Elementary and Secondary Education Act.~~

15       (Source: P.A. 96-861, eff. 1-15-10; 97-8, eff. 6-13-11;  
16       revised 7-17-24.)

17       (105 ILCS 5/24A-4) (from Ch. 122, par. 24A-4)

18       Sec. 24A-4. Development of evaluation plan.

19       (a) As used in this and the succeeding Sections, "teacher"  
20       means any and all school district employees regularly required  
21       to be certified under laws relating to the certification of  
22       teachers. Each school district shall develop, in cooperation  
23       with its teachers or, where applicable, the exclusive  
24       bargaining representatives of its teachers, an evaluation plan  
25       for all teachers.

1           (b) Until July 1, 2025 ~~By no later than the applicable~~  
2 ~~implementation date~~, each school district shall, in good faith  
3 cooperation with its teachers or, where applicable, the  
4 exclusive bargaining representatives of its teachers,  
5 incorporate the use of data and indicators on student growth  
6 as a significant factor in rating teaching performance, into  
7 its evaluation plan for all teachers, both those teachers in  
8 contractual continued service and those teachers not in  
9 contractual continued service. The plan shall at least meet  
10 the standards and requirements for student growth and teacher  
11 evaluation established under Section 24A-7, and specifically  
12 describe how student growth data and indicators will be used  
13 as part of the evaluation process, how this information will  
14 relate to evaluation standards, the assessments or other  
15 indicators of student performance that will be used in  
16 measuring student growth and the weight that each will have,  
17 the methodology that will be used to measure student growth,  
18 and the criteria other than student growth that will be used in  
19 evaluating the teacher and the weight that each will have.

20           **(b-5) Beginning July 1, 2025, each school district may, in**  
21 **good faith cooperation with its teachers or, where applicable,**  
22 **with the exclusive bargaining representatives of its teachers,**  
23 **incorporate the use of data and indicators on student growth**  
24 **as a factor in rating teaching performance, into its**  
25 **evaluation plan for all teachers in contractual continued**  
26 **service and teachers not in contractual continued service. The**

1 plan shall at least meet the standards and requirements for  
2 teacher evaluations established under Section 24A-7.

3 To incorporate the use of data and indicators of student  
4 growth as a ~~significant~~ factor in rating teacher performance  
5 into the evaluation plan, the district shall use a joint  
6 committee composed of equal representation selected by the  
7 district and its teachers or, where applicable, the exclusive  
8 bargaining representative of its teachers. ~~If, within 180~~  
9 ~~calendar days of the committee's first meeting, the committee~~  
10 ~~does not reach agreement on the plan, then the district shall~~  
11 ~~implement the model evaluation plan established under Section~~  
12 ~~24A-7 with respect to the use of data and indicators on student~~  
13 ~~growth as a significant factor in rating teacher performance.~~

14 Nothing in this subsection (b) shall make decisions on the  
15 use of data and indicators on student growth as a significant  
16 factor in rating teaching performance mandatory subjects of  
17 bargaining under the Illinois Educational Labor Relations Act  
18 that are not currently mandatory subjects of bargaining under  
19 the Act.

20 The provisions of the Open Meetings Act shall not apply to  
21 meetings of a joint committee formed under this subsection  
22 (b).

23 (c) Notwithstanding anything to the contrary in subsection  
24 (b) of this Section, if the joint committee referred to in that  
25 subsection does not reach agreement on the plan within 90  
26 calendar days after the committee's first meeting, a school

1 district having 500,000 or more inhabitants shall not be  
2 required to implement any aspect of the model evaluation plan  
3 and may implement its last best proposal.

4 (d) ~~The Beginning the first school year following the~~  
5 ~~effective date of this amendatory Act of the 100th General~~  
6 ~~Assembly, the~~ joint committee referred to in subsections  
7 ~~subsection~~ (b) and (c) of this Section shall meet no less than  
8 one time annually to assess and review the effectiveness of  
9 the district's evaluation plan for the purposes of continuous  
10 improvement of instruction and evaluation practices.

11 (Source: P.A. 100-768, eff. 1-1-19.)

12 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

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

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

24 Each school district shall establish a teacher evaluation  
25 plan that ensures that:

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

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

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

23          ~~For the 2022-2023 school year only, if the Governor has~~  
24          ~~declared a disaster due to a public health emergency pursuant~~  
25          ~~to Section 7 of the Illinois Emergency Management Agency Act,~~  
26          ~~a school district may waive the evaluation requirement of all~~

~~teachers in contractual continued service whose performances were rated as either "excellent" or "proficient" during the last school year in which the teachers were evaluated under this Section.~~

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

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

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

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

(b) consideration of the teacher's attendance, planning, instructional methods, classroom management, where relevant, and competency in the subject matter

1 taught.

2 (c) (blank). ~~by no later than the applicable~~  
3 ~~implementation date, consideration of student growth as a~~  
4 ~~significant factor in the rating of the teacher's~~  
5 ~~performance.~~

6 (d) (blank). ~~prior to September 1, 2012, rating of the~~  
7 ~~performance of teachers in contractual continued service~~  
8 ~~as either:~~

9 ~~(i) "excellent", "satisfactory" or~~  
10 ~~"unsatisfactory"; or~~

11 ~~(ii) "excellent", "proficient", "needs~~  
12 ~~improvement" or "unsatisfactory".~~

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

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

18 (g) inclusion of a copy of the evaluation in the  
19 teacher's personnel file and provision of a copy to the  
20 teacher.

21 (h) within 30 school days after the completion of an  
22 evaluation rating a teacher in contractual continued  
23 service as "needs improvement", development by the  
24 evaluator, in consultation with the teacher, and taking  
25 into account the teacher's ongoing ~~on-going~~ professional  
26 responsibilities including his or her regular teaching

1 assignments, of a professional development plan directed  
2 to the areas that need improvement and any supports that  
3 the district will provide to address the areas identified  
4 as needing improvement.

5 (i) within 30 school days after completion of an  
6 evaluation rating a teacher in contractual continued  
7 service as "unsatisfactory", development and commencement  
8 by the district of a remediation plan designed to correct  
9 deficiencies cited, provided the deficiencies are deemed  
10 remediable. In all school districts the remediation plan  
11 for unsatisfactory, tenured teachers shall provide for 90  
12 school days of remediation within the classroom, unless an  
13 applicable collective bargaining agreement provides for a  
14 shorter duration. In all school districts evaluations  
15 issued pursuant to this Section shall be issued within 10  
16 days after the conclusion of the respective remediation  
17 plan. However, the school board or other governing  
18 authority of the district shall not lose jurisdiction to  
19 discharge a teacher in the event the evaluation is not  
20 issued within 10 days after the conclusion of the  
21 respective remediation plan.

22 (j) participation in the remediation plan by the  
23 teacher in contractual continued service rated  
24 "unsatisfactory", an evaluator and a consulting teacher  
25 selected by the evaluator of the teacher who was rated  
26 "unsatisfactory", which consulting teacher is an

1 educational employee as defined in the Illinois  
2 Educational Labor Relations Act, has at least 5 years'  
3 teaching experience, and a reasonable familiarity with the  
4 assignment of the teacher being evaluated, and who  
5 received an "excellent" rating on his or her most recent  
6 evaluation. Where no teachers who meet these criteria are  
7 available within the district, the district shall request  
8 and the applicable regional office of education shall  
9 supply, to participate in the remediation process, an  
10 individual who meets these criteria.

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

22 (k) a mid-point and final evaluation by an evaluator  
23 during and at the end of the remediation period,  
24 immediately following receipt of a remediation plan  
25 provided for under subsections (i) and (j) of this  
26 Section. Each evaluation shall assess the teacher's

1 performance during the time period since the prior  
2 evaluation; provided that the last evaluation shall also  
3 include an overall evaluation of the teacher's performance  
4 during the remediation period. A written copy of the  
5 evaluations and ratings, in which any deficiencies in  
6 performance and recommendations for correction are  
7 identified, shall be provided to and discussed with the  
8 teacher within 10 school days after the date of the  
9 evaluation, unless an applicable collective bargaining  
10 agreement provides to the contrary. These subsequent  
11 evaluations shall be conducted by an evaluator. The  
12 consulting teacher shall provide advice to the teacher  
13 rated "unsatisfactory" on how to improve teaching skills  
14 and to successfully complete the remediation plan. The  
15 consulting teacher shall participate in developing the  
16 remediation plan, but the final decision as to the  
17 evaluation shall be done solely by the evaluator, unless  
18 an applicable collective bargaining agreement provides to  
19 the contrary. Evaluations at the conclusion of the  
20 remediation process shall be separate and distinct from  
21 the required annual evaluations of teachers and shall not  
22 be subject to the guidelines and procedures relating to  
23 those annual evaluations. The evaluator may but is not  
24 required to use the forms provided for the annual  
25 evaluation of teachers in the district's evaluation plan.

26 (1) reinstatement to the evaluation schedule set forth

1 in the district's evaluation plan for any teacher in  
2 contractual continued service who achieves a rating equal  
3 to or better than "satisfactory" or "proficient" in the  
4 school year following a rating of "needs improvement" or  
5 "unsatisfactory".

6 (m) dismissal in accordance with subsection (d) of  
7 Section 24-12 or Section 24-16.5 or 34-85 of this Code of  
8 any teacher who fails to complete any applicable  
9 remediation plan with a rating equal to or better than a  
10 "satisfactory" or "proficient" rating. Districts and  
11 teachers subject to dismissal hearings are precluded from  
12 compelling the testimony of consulting teachers at such  
13 hearings under subsection (d) of Section 24-12 or Section  
14 24-16.5 or 34-85 of this Code, either as to the rating  
15 process or for opinions of performances by teachers under  
16 remediation.

17 (n) ~~If After the implementation date of an evaluation~~  
18 ~~system for teachers in a district as specified in Section~~  
19 ~~24A 2.5 of this Code, if~~ a teacher in contractual  
20 continued service successfully completes a remediation  
21 plan following a rating of "unsatisfactory" in an overall  
22 performance evaluation received after the foregoing  
23 implementation date and receives a subsequent rating of  
24 "unsatisfactory" in any of the teacher's overall  
25 performance evaluation ratings received during the  
26 36-month period following the teacher's completion of the

1 remediation plan, then the school district may forgo  
2 remediation and seek dismissal in accordance with  
3 subsection (d) of Section 24-12 or Section 34-85 of this  
4 Code.

5 (o) Teachers who are due to be evaluated in the last  
6 year before they are set to retire shall be offered the  
7 opportunity to waive their evaluation and to retain their  
8 most recent rating, unless the teacher was last rated as  
9 "needs improvement" or "unsatisfactory". The school  
10 district may still reserve the right to evaluate a teacher  
11 provided the district gives notice to the teacher at least  
12 14 days before the evaluation and a reason for evaluating  
13 the teacher.

14 Nothing in this Section or Section 24A-4 shall be  
15 construed as preventing immediate dismissal of a teacher for  
16 deficiencies which are deemed irreparable or for actions  
17 which are injurious to or endanger the health or person of  
18 students in the classroom or school, or preventing the  
19 dismissal or non-renewal of teachers not in contractual  
20 continued service for any reason not prohibited by applicable  
21 employment, labor, and civil rights laws. Failure to strictly  
22 comply with the time requirements contained in Section 24A-5  
23 shall not invalidate the results of the remediation plan.

24 Nothing contained in Public Act 98-648 repeals,  
25 supersedes, invalidates, or nullifies final decisions in  
26 lawsuits pending on July 1, 2014 (the effective date of Public

1 Act 98-648) in Illinois courts involving the interpretation of  
2 Public Act 97-8.

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

19 (Source: P.A. 102-252, eff. 1-1-22; 102-729, eff. 5-6-22;  
20 103-85, eff. 6-9-23; 103-605, eff. 7-1-24; revised 8-8-24.)

21 (105 ILCS 5/24A-7) (from Ch. 122, par. 24A-7)

22 Sec. 24A-7. Rules.

23 (a) The State Board of Education is authorized to adopt  
24 such rules as are deemed necessary to implement and accomplish  
25 the purposes and provisions of this Article, including, but

1 not limited to, rules:

2 (1) relating to the methods for measuring student  
3 growth (including, but not limited to, limitations on the  
4 age of usable data; the amount of data needed to reliably  
5 and validly measure growth for the purpose of teacher and  
6 principal evaluations; and whether and at what time annual  
7 State assessments may be used as one of multiple measures  
8 of student growth);

9 (2) (blank); ~~defining the term "significant factor"~~  
10 ~~for purposes of including consideration of student growth~~  
11 ~~in performance ratings;~~

12 (3) controlling for such factors as student  
13 characteristics (including, but not limited to, students  
14 receiving special education and English Learner services),  
15 student attendance, and student mobility ~~so as~~ to best  
16 measure the impact that a teacher, principal, school and  
17 school district has on students' academic achievement;

18 (4) establishing minimum requirements for district  
19 teacher and principal evaluation instruments and  
20 procedures; and

21 (5) (blank). ~~establishing a model evaluation plan for~~  
22 ~~use by school districts in which student growth shall~~  
23 ~~comprise 50% of the performance rating.~~

24 ~~A Notwithstanding any other provision in this Section,~~  
25 ~~such rules shall not preclude a school district may use having~~  
26 ~~500,000 or more inhabitants from using an annual State~~

1 assessment as a ~~the sole~~ measure of student growth for  
2 purposes of teacher or principal evaluations.

3 (b) (Blank). ~~The State Superintendent of Education shall~~  
4 ~~convene a Performance Evaluation Advisory Council, which shall~~  
5 ~~be staffed by the State Board of Education. Members of the~~  
6 ~~Council shall be selected by the State Superintendent and~~  
7 ~~include, without limitation, representatives of teacher unions~~  
8 ~~and school district management, persons with expertise in~~  
9 ~~performance evaluation processes and systems, as well as other~~  
10 ~~stakeholders. The Council shall meet at least quarterly and~~  
11 ~~may also meet at the call of the chairperson of the Council,~~  
12 ~~following August 18, 2017 (the effective date of Public Act~~  
13 ~~100-211) until December 31, 2024. The Council shall advise the~~  
14 ~~State Board of Education on the ongoing implementation of~~  
15 ~~performance evaluations in this State, which may include~~  
16 ~~gathering public feedback, sharing best practices, consulting~~  
17 ~~with the State Board on any proposed rule changes regarding~~  
18 ~~evaluations, and other subjects as determined by the~~  
19 ~~chairperson of the Council.~~

20 (c) On July 1, 2024, the State Superintendent of Education  
21 shall convene a Performance Evaluation Advisory Committee for  
22 the purpose of maintaining and improving the evaluator  
23 training and pre-qualification program in this State under  
24 Section 24A-3. The Committee shall be staffed by the State  
25 Board of Education. Members of the Committee shall include,  
26 without limitation, representatives from providers of the

1 evaluator retraining and pre-qualification program in this  
2 State, which include teacher unions, school district  
3 management, including a school district organized under  
4 Article 34, and a statewide organization representing regional  
5 offices of education. Members of the Committee shall be  
6 nominated by the providers and appointed by the State  
7 Superintendent.

8 The Committee shall meet initially at the call of the  
9 State Superintendent and shall select one member as  
10 chairperson at its initial meeting. The Committee shall meet  
11 at least quarterly and may also meet at the call of the  
12 chairperson of the Committee.

13 The Committee shall advise the State Board of Education on  
14 the continued implementation of the evaluator training and  
15 pre-qualification program in this State, which may include the  
16 development and delivery of the program's existing and new  
17 administrators' academies, gathering feedback from program  
18 instructors and participants, sharing best practices,  
19 consulting with the State Board on any proposed rule changes  
20 regarding evaluator training, and other subjects as determined  
21 by the chairperson of the Committee.

22 (d) Prior to the applicable implementation date, the rules  
23 shall 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  
26 exclusive representative of the district's teachers in

1 accordance with Section 34-85c of this Code.

2 (Source: P.A. 102-252, eff. 1-1-22; 102-558, eff. 8-20-21;  
3 103-617, eff. 7-1-24.)

4 (105 ILCS 5/24A-15)

5 Sec. 24A-15. Development of evaluation plan for principals  
6 and assistant principals.

7 (a) Each school district, except for a school district  
8 organized under Article 34 of this Code, shall establish a  
9 principal and assistant principal evaluation plan in  
10 accordance with this Section. The plan must ensure that each  
11 principal and assistant principal is evaluated as follows:

12 (1) For a principal or assistant principal on a  
13 single-year contract, the evaluation must take place by  
14 March 1 of each year.

15 (2) For a principal or assistant principal on a  
16 multi-year contract under Section 10-23.8a of this Code,  
17 the evaluation must take place by March 1 of the final year  
18 of the contract.

19 ~~The On and after September 1, 2012, the plan must:~~

20 (i) rate the principal's or assistant principal's  
21 performance as "excellent", "proficient", "needs  
22 improvement" or "unsatisfactory"; and

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

25 Nothing in this Section prohibits a school district from

1 conducting additional evaluations of principals and assistant  
2 principals.

3 ~~For the 2022-2023 school year only, if the Governor has~~  
4 ~~declared a disaster due to a public health emergency pursuant~~  
5 ~~to Section 7 of the Illinois Emergency Management Agency Act,~~  
6 ~~a school district may waive the evaluation requirement of all~~  
7 ~~principals or assistant principals whose performances were~~  
8 ~~rated as either "excellent" or "proficient" during the last~~  
9 ~~school year in which the principals or assistant principals~~  
10 ~~were evaluated under this Section.~~

11 (b) The evaluation shall include a description of the  
12 principal's or assistant principal's ~~duties~~ and  
13 responsibilities and the standards to which the principal or  
14 assistant principal is expected to conform.

15 (c) The evaluation for a principal must be performed by  
16 the district superintendent, the superintendent's designee,  
17 or, in the absence of the superintendent or his or her  
18 designee, an individual appointed by the school board who  
19 holds a registered and active Professional Educator License  
20 with a principal endorsement or general administrative  
21 endorsement ~~Type 75 State administrative certificate.~~

22 ~~The~~ Prior to September 1, 2012, the evaluation must be in  
23 writing and must at least do all of the following:

24 (1) Consider the principal's specific ~~duties,~~  
25 responsibilities, management, and competence as a  
26 principal.

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

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

6 Until July 1, 2025 ~~On and after September 1, 2012,~~ the  
7 evaluation must, in addition to the requirements in items (1),  
8 (2), and (3) of this subsection (c), provide for the use of  
9 data and indicators on student growth as a significant factor  
10 in rating performance.

11 Beginning July 1, 2025, the evaluation must include the  
12 requirements in paragraphs (1), (2), and (3) of this  
13 subsection (c). The evaluation may provide for the use of data  
14 and indicators on student growth as a factor in rating  
15 performance.

16 (c-5) The evaluation of an assistant principal must be  
17 performed by the principal, the district superintendent, the  
18 superintendent's designee, or, in the absence of the  
19 superintendent or his or her designee, an individual appointed  
20 by the school board who holds a registered and active  
21 Professional Educator License with a principal endorsement or  
22 general administrative endorsement ~~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 established by administrative rule.

7 Until July 1, 2025 ~~On and after September 1, 2012,~~ the  
8 evaluation must, in addition to the requirements in items (1),  
9 (2), and (3) of this subsection (c-5), provide for the use of  
10 data and indicators on student growth as a significant factor  
11 in rating performance.

12 Beginning July 1, 2025, the evaluation must include the  
13 requirements in paragraphs (1), (2), and (3) of this  
14 subsection (c-5). The evaluation may provide for the use of  
15 data and indicators on student growth as a factor in rating  
16 performance.

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

21 (e) Failure by a district to evaluate a principal or  
22 assistant principal and to provide the principal or assistant  
23 principal with a copy of the evaluation at least once during  
24 the term of the principal's or assistant principal's contract,  
25 in accordance with this Section, is evidence that the  
26 principal or assistant principal is performing duties and

1 responsibilities in at least a satisfactory manner and shall  
2 serve to automatically extend the principal's or assistant  
3 principal's contract for a period of one year after the  
4 contract would otherwise expire, under the same terms and  
5 conditions as the prior year's contract. The requirements in  
6 this Section are in addition to the right of a school board to  
7 reclassify a principal or assistant principal pursuant to  
8 Section 10-23.8b of this Code.

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

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

13 (105 ILCS 5/24A-20)

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

16 (a) ~~The On or before the date established in subsection~~  
17 ~~(b) of this Section, the~~ State Board of Education shall,  
18 through a process involving collaboration with the Performance  
19 Evaluation Advisory Committee ~~Council~~, develop or contract for  
20 the development of and implement all of the following data  
21 collection and evaluation assessment and support systems:

22 (1) A system to annually collect and publish data by  
23 district and school on teacher and administrator  
24 performance evaluation outcomes. The system must ensure  
25 that no teacher or administrator can be personally

1 identified by publicly reported data.

2 (2) Both a teacher and principal model evaluation  
3 template. The model templates must incorporate the  
4 requirements of this Article and any other requirements  
5 established by the State Board by administrative rule, but  
6 allow customization by districts in a manner that does not  
7 conflict with such requirements.

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

10 (4) An evaluator training program based on the model  
11 teacher evaluation template. The training program shall  
12 provide multiple training options that account for the  
13 prior training and experience of the evaluator.

14 (5) A superintendent training program based on the  
15 model principal evaluation template.

16 (6) One or more instruments to provide feedback to  
17 principals on the instructional environment within a  
18 school.

19 (7) A State Board-provided or approved technical  
20 assistance system that supports districts with the  
21 development and implementation of teacher and principal  
22 evaluation systems.

23 (8) Web-based systems and tools supporting  
24 implementation of the model templates and the evaluator  
25 pre-qualification and training programs.

26 (9) A process for measuring and reporting correlations

1       between local principal and teacher evaluations and the  
2       ~~(A) student growth in tested grades and subjects and (B)~~  
3       retention rates of teachers.

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

19      (b) (Blank). ~~If the State of Illinois receives a Race to~~  
20      ~~the Top Grant, the data collection and support systems~~  
21      ~~described in subsection (a) must be developed on or before~~  
22      ~~September 30, 2011. If the State of Illinois does not receive a~~  
23      ~~Race to the Top Grant, the data collection and support systems~~  
24      ~~described in subsection (a) must be developed on or before~~  
25      ~~September 30, 2012; provided, however, that the data~~  
26      ~~collection and support systems set forth in items (3) and (4)~~

~~of subsection (a) of this Section must be developed by September 30, 2011 regardless of whether the State of Illinois receives a Race to the Top Grant. By no later than September 1, 2011, if the State of Illinois receives a Race to the Top Grant, or September 1, 2012, if the State of Illinois does not receive a Race to the Top Grant, the State Board of Education must execute or contract for the execution of the assessment referenced in item (10) of subsection (a) of this Section to determine whether the school district evaluation systems developed pursuant to this Act have been valid and reliable, contributed to the development of staff, and improved student performance.~~

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

(d) If the State Board of Education does not timely fulfill any of the requirements set forth in Sections 24A-7 and 24A-20, and adequate and sustainable federal, State, or other funds are not provided to the State Board of Education

1 and school districts to meet their responsibilities under this  
2 Article, the applicable implementation date shall be postponed  
3 by the number of calendar days equal to those needed by the  
4 State Board of Education to fulfill such requirements and for  
5 the adequate and sustainable funds to be provided to the State  
6 Board of Education and school districts. The determination as  
7 to whether the State Board of Education has fulfilled any or  
8 all requirements set forth in Sections 24A-7 and 24A-20 and  
9 whether adequate and sustainable funds have been provided to  
10 the State Board of Education and school districts shall be  
11 made by the State Board of Education in consultation with the  
12 P-20 Council.

13 (e) The State Board of Education shall annually report  
14 teacher evaluation data from each school in the State. The  
15 State Board's report shall include:

16 (1) data from the most recent performance evaluation  
17 ratings issued ~~prior to the effective date of this~~  
18 ~~amendatory Act of the 103rd General Assembly~~ for all  
19 nontenured teachers and teachers in contractual continued  
20 service disaggregated ~~broken down~~ by the race and  
21 ethnicity of teachers; and

22 (2) data from the most recent performance evaluation  
23 ratings ~~issued prior to the effective date of this~~  
24 ~~amendatory Act of the 103rd General Assembly~~ for all  
25 nontenured teachers and teachers in contractual continued  
26 service disaggregated ~~broken down~~ by the race, ethnicity,

1 and eligibility status for free or reduced-price lunch of  
2 students in the school where the teachers work.

3 The report shall contain data in an aggregate format. The  
4 report with the aggregate data is not confidential pursuant to  
5 Section 24A-7.1 of this Code unless an individual teacher is  
6 personally identifiable in the report. With respect to the  
7 report, the underlying data and any personally identifying  
8 information of a teacher shall be confidential. The State  
9 Board shall provide the data in the report in a format that  
10 prevents identification of individual teachers.

11 (Source: P.A. 103-452, eff. 1-1-24.)

12 (105 ILCS 5/34-8) (from Ch. 122, par. 34-8)

13 Sec. 34-8. Powers and duties of general superintendent.  
14 The general superintendent of schools shall prescribe and  
15 control, subject to the approval of the board and to other  
16 provisions of this Article, the courses of study mandated by  
17 State law, textbooks, educational apparatus and equipment,  
18 discipline in and conduct of the schools, and shall perform  
19 such other duties as the board may by rule prescribe. The  
20 superintendent shall also notify the State Board of Education,  
21 the board and the chief administrative official, other than  
22 the alleged perpetrator himself, in the school where the  
23 alleged perpetrator serves, that any person who is employed in  
24 a school or otherwise comes into frequent contact with  
25 children in the school has been named as a perpetrator in an

1 indicated report filed pursuant to the Abused and Neglected  
2 Child Reporting Act, approved June 26, 1975, as amended.

3 The general superintendent may be granted the authority by  
4 the board to hire a specific number of employees to assist in  
5 meeting immediate responsibilities. Conditions of employment  
6 for such personnel shall not be subject to the provisions of  
7 Section 34-85.

8 The general superintendent may, pursuant to a delegation  
9 of authority by the board and Section 34-18, approve contracts  
10 and expenditures.

11 Pursuant to other provisions of this Article, sites shall  
12 be selected, schoolhouses located thereon and plans therefor  
13 approved, and textbooks and educational apparatus and  
14 equipment shall be adopted and purchased by the board only  
15 upon the recommendation of the general superintendent of  
16 schools or by a majority vote of the full membership of the  
17 board and, in the case of textbooks, subject to Article 28 of  
18 this Act. The board may furnish free textbooks to pupils and  
19 may publish its own textbooks and manufacture its own  
20 apparatus, equipment and supplies.

21 In addition, in January of each year, the general  
22 superintendent of schools shall report to the State Board of  
23 Education the number of high school students in the district  
24 who are enrolled in accredited courses (for which high school  
25 credit will be awarded upon successful completion of the  
26 courses) at any community college, together with the name and

1 number of the course or courses which each such student is  
2 taking.

3 The general superintendent shall also have the authority  
4 to monitor the performance of attendance centers, to identify  
5 and place an attendance center on remediation and probation,  
6 and to recommend to the board that the attendance center be  
7 placed on intervention and be reconstituted, subject to the  
8 provisions of Sections 34-8.3 and 8.4.

9 The general superintendent, or his or her designee, shall  
10 conduct an annual evaluation of each principal in the district  
11 pursuant to guidelines promulgated by the Board and the Board  
12 approved principal evaluation form. The evaluation shall be  
13 based on factors, including the following: (i) student  
14 academic improvement, as defined by the school improvement  
15 plan; (ii) student absenteeism rates at the school; (iii)  
16 instructional leadership; (iv) effective implementation of  
17 programs, policies, or strategies to improve student academic  
18 achievement; (v) school management; and (vi) other factors,  
19 including, without limitation, the principal's communication  
20 skills and ability to create and maintain a student-centered  
21 learning environment, to develop opportunities for  
22 professional development, and to encourage parental  
23 involvement and community partnerships to achieve school  
24 improvement.

25 ~~The Effective no later than September 1, 2012, the general~~  
26 superintendent or his or her designee shall develop a written

1 principal evaluation plan. The evaluation plan must be in  
2 writing and shall supersede the evaluation requirements set  
3 forth in this Section. The evaluation plan must do at least all  
4 of the following:

5 (1) Provide for annual evaluation of all principals  
6 employed under a performance contract by the general  
7 superintendent or his or her designee, no later than July  
8 1st of each year.

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

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

14 (4) Align with research-based standards.

15 (5) Until July 1, 2025, use ~~Use~~ data and indicators on  
16 student growth as a significant factor in rating principal  
17 performance.

18 Beginning July 1, 2025, the evaluation plan may provide  
19 for the use of data and indicators on student growth as a  
20 factor in rating performance.

21 (Source: P.A. 95-496, eff. 8-28-07; 96-861, eff. 1-15-10.)

22 (105 ILCS 5/34-85c)

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

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

26           (a-5) If the Governor has declared a disaster due to a

1 public health emergency pursuant to Section 7 of the Illinois  
2 Emergency Management Agency Act that suspends in-person  
3 instruction, the timelines connected to the commencement and  
4 completion of any remediation plan are paused. Except where  
5 the parties mutually agree otherwise and such agreement is in  
6 writing, any remediation plan that had been in place for 45 or  
7 more days prior to the suspension of in-person instruction  
8 shall resume when in-person instruction resumes; any  
9 remediation plan that had been in place for fewer than 45 days  
10 prior to the suspension of in-person instruction shall  
11 discontinue and a new remediation period will begin when  
12 in-person instruction resumes.

13 (a-10) No later than September 1, 2022, the school  
14 district must establish a teacher evaluation plan that ensures  
15 that each teacher in contractual continued service whose  
16 performance is rated as either "excellent" or "proficient" is  
17 evaluated at least once in the course of the 3 school years  
18 after receipt of the rating and establish an informal teacher  
19 observation plan that ensures that each teacher in contractual  
20 continued service whose performance is rated as either  
21 "excellent" or "proficient" is informally observed at least  
22 once in the course of the 2 school years after receipt of the  
23 rating.

24 (a-15) (Blank). ~~For the 2022-2023 school year only, if the~~  
25 ~~Governor has declared a disaster due to a public health~~  
26 ~~emergency pursuant to Section 7 of the Illinois Emergency~~

1 ~~Management Agency Act, the school district may waive the~~  
2 ~~evaluation requirement of any teacher in contractual continued~~  
3 ~~service whose performance was rated as either "excellent" or~~  
4 ~~"proficient" during the last school year in which the teacher~~  
5 ~~was evaluated under this Section.~~

6 (b) The board and the exclusive representative of the  
7 district's teachers shall submit a certified copy of an  
8 agreement as provided under subsection (a) of this Section to  
9 the State Board of Education.

10 (Source: P.A. 101-643, eff. 6-18-20; 102-252, eff. 1-1-22;  
11 102-729, eff. 5-6-22.)

12 Section 99. Effective date. This Act takes effect July 1,  
13 2025.

1 INDEX

2 Statutes amended in order of appearance

3 105 ILCS 5/24-16.5

4 105 ILCS 5/24A-2.5

5 105 ILCS 5/24A-4 from Ch. 122, par. 24A-4

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

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

8 105 ILCS 5/24A-15

9 105 ILCS 5/24A-20

10 105 ILCS 5/34-8 from Ch. 122, par. 34-8

11 105 ILCS 5/34-85c