



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1850

Introduced 2/5/2025, by Sen. Mary Edly-Allen

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/24A-5

from Ch. 122, par. 24A-5

Amends the School Code. In a provision concerning teacher evaluation plans, provides that for teachers not in contractual continued service who participate in a new teacher induction and mentoring program established by the school district in which they are employed, non-evaluative mentor observation and feedback may be used in place of one evaluation observation.

LRB104 03472 LNS 13495 b

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section  
5 24A-5 as follows:

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

7 Sec. 24A-5. Content of evaluation plans. This Section does  
8 not apply to teachers assigned to schools identified in an  
9 agreement entered into between the board of a school district  
10 operating under Article 34 of this Code and the exclusive  
11 representative of the district's teachers in accordance with  
12 Section 34-85c of this Code.

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

18 Each school district shall establish a teacher evaluation  
19 plan that ensures that:

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

22 (2) except as otherwise provided in this Section, each  
23 teacher in contractual continued service is evaluated at

1       least once in the course of every 2 school years. However,  
2       any teacher in contractual continued service whose  
3       performance is rated as either "needs improvement" or  
4       "unsatisfactory" must be evaluated at least once in the  
5       school year following the receipt of such rating.

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

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

1       Notwithstanding anything to the contrary in this Section  
2       or any other Section of this Code, a principal shall not be  
3       prohibited from evaluating any teachers within a school during  
4       his or her first year as principal of such school. If a  
5       first-year principal exercises this option in a school  
6       district where the evaluation plan provides for a teacher in  
7       contractual continued service to be evaluated once in the  
8       course of every 2 or 3 school years, as applicable, then a new  
9       2-year or 3-year evaluation plan must be established.

10       For teachers not in contractual continued service who  
11       participate in a new teacher induction and mentoring program  
12       established by the school district in which they are employed,  
13       non-evaluative mentor observation and feedback may be used in  
14       place of one evaluation observation.

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

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

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

25               (b) consideration of the teacher's attendance,  
26               planning, instructional methods, classroom management,

1 where relevant, and competency in the subject matter  
2 taught.

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

6 (d) 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) 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.)