



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5220

Introduced 2/3/2010, by Rep. John D. Cavaletto

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-21.4a	from Ch. 122, par. 10-21.4a
105 ILCS 5/10-23.8a	from Ch. 122, par. 10-23.8a
105 ILCS 5/10-23.8b	from Ch. 122, par. 10-23.8b
105 ILCS 5/24A-15	

Amends the School Code. Provides for the employment of assistant principals. Includes provisions concerning (1) their duties, (2) their contracts, (3) their reclassification, and (4) the development and submission of an evaluation plan. Removes language that provides that if a principal is absent due to extended illness or leave of absence, then an assistant principal may be assigned as acting principal for a period not to exceed 60 school days. Effective immediately.

LRB096 19308 NHT 34699 b

FISCAL NOTE ACT
MAY APPLY

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 10-21.4a, 10-23.8a, 10-23.8b, and 24A-15 as follows:

6 (105 ILCS 5/10-21.4a) (from Ch. 122, par. 10-21.4a)

7 Sec. 10-21.4a. Principals and assistant principals -
8 Duties. To employ principals and assistant principals who hold
9 valid supervisory or administrative certificates. The
10 principal, with the assistance of any assistant principals, who
11 shall supervise the operation of attendance centers as the
12 board shall determine necessary. In an attendance center having
13 fewer than 4 teachers, a head teacher who does not qualify as a
14 principal may be assigned in the place of a principal.

15 The principal, with the assistance of any assistant
16 principals, shall assume administrative responsibilities and
17 instructional leadership, under the supervision of the
18 superintendent, and in accordance with reasonable rules and
19 regulations of the board, for the planning, operation and
20 evaluation of the educational program of the attendance area to
21 which he or she is assigned. However, in districts under a
22 Financial Oversight Panel pursuant to Section 1A-8 for
23 violating a financial plan, the duties and responsibilities of

1 principals and assistant principals in relation to the
2 financial and business operations of the district shall be
3 approved by the Panel. In the event the Board refuses or fails
4 to follow a directive or comply with an information request of
5 the Panel, the performance of those duties shall be subject to
6 the direction of the Panel.

7 School boards shall specify in their formal job description
8 for principals that his or her primary responsibility is in the
9 improvement of instruction. A majority of the time spent by a
10 principal shall be spent on curriculum and staff development
11 through both formal and informal activities, establishing
12 clear lines of communication regarding school goals,
13 accomplishments, practices and policies with parents and
14 teachers.

15 Unless residency within a school district is made an
16 express condition of a person's employment or continued
17 employment as a principal or assistant principal of that school
18 district at the time of the person's initial employment as a
19 principal or assistant principal of that district, residency
20 within that school district may not at any time thereafter be
21 made a condition of that person's employment or continued
22 employment as a principal or assistant principal of the
23 district, without regard to whether the person's initial
24 employment as a principal of the district began before or
25 begins on or after the effective date of this amendatory Act of
26 1996 and without regard to whether that person's residency

1 within or outside of the district began or was changed before
2 or begins or changes on or after that effective date. In no
3 event shall residency within a school district be considered in
4 determining the compensation of a principal or assistant
5 principal or the assignment or transfer of a principal or
6 assistant principal to an attendance center of the district.

7 School boards shall ensure that their principals and
8 assistant principals are evaluated on their instructional
9 leadership ability and their ability to maintain a positive
10 education and learning climate.

11 It shall also be the responsibility of the principal to
12 utilize resources of proper law enforcement agencies when the
13 safety and welfare of students and teachers are threatened by
14 illegal use of drugs and alcohol.

15 The principal shall submit recommendations to the
16 superintendent concerning the appointment, retention,
17 promotion and assignment of all personnel assigned to the
18 attendance center.

19 ~~If a principal is absent due to extended illness or leave~~
20 ~~of absence, an assistant principal may be assigned as acting~~
21 ~~principal for a period not to exceed 60 school days.~~

22 (Source: P.A. 89-572, eff. 7-30-96; 89-622, eff. 8-9-96; 90-14,
23 eff. 7-1-97.)

24 (105 ILCS 5/10-23.8a) (from Ch. 122, par. 10-23.8a)

25 Sec. 10-23.8a. Principal, assistant principal, and other

1 administrator contracts. After the effective date of this
2 amendatory Act of 1997 and the expiration of contracts in
3 effect on the effective date of this amendatory Act, school
4 districts may only employ principals, assistant principals,
5 and other school administrators under either a contract for a
6 period not to exceed one year or a performance-based contract
7 for a period not to exceed 5 years, unless the provisions of
8 Section 10-23.8b of this Code or subsection (e) of Section
9 24A-15 of this Code otherwise apply.

10 Performance-based contracts shall be linked to student
11 performance and academic improvement attributable to the
12 responsibilities and duties of the principal, assistant
13 principal, or administrator. No performance-based contract
14 shall be extended or rolled-over prior to its scheduled
15 expiration unless all the performance and improvement goals
16 contained in the contract have been met. Each performance-based
17 contract shall include the goals and indicators of student
18 performance and academic improvement determined and used by the
19 local school board to measure the performance and effectiveness
20 of the principal, assistant principal, or other administrator
21 and such other information as the local school board may
22 determine.

23 By accepting the terms of a multi-year contract, the
24 principal, assistant principal, or administrator waives all
25 rights granted him or her under Sections 24-11 through 24-16 of
26 this Act only for the term of the multi-year contract. Upon

1 acceptance of a multi-year contract, the principal or
2 administrator shall not lose any previously acquired tenure
3 credit with the district.

4 (Source: P.A. 94-1039, eff. 7-20-06.)

5 (105 ILCS 5/10-23.8b) (from Ch. 122, par. 10-23.8b)

6 Sec. 10-23.8b. Reclassification of principals and
7 assistant principals. Upon non-renewal of a principal's or
8 assistant principal's administrative contract, the principal
9 or assistant principal shall be reclassified pursuant to this
10 Section. No principal or assistant principal who has completed
11 2 or more years of administrative service in the school
12 district may be reclassified by demotion or reduction in rank
13 from one position within a school district to another for which
14 a lower salary is paid without written notice from the board of
15 the proposed reclassification by April 1 of the year in which
16 the contract expires.

17 Within 10 days of the principal's or assistant principal's
18 receipt of this notice, the school board shall provide the
19 principal with a written statement of the facts regarding
20 reclassification, and the principal or assistant principal may
21 request and receive a private hearing with the board to discuss
22 the reasons for the reclassification. If the principal or
23 assistant principal is not satisfied with the results of the
24 private hearing, he or she may, within 5 days thereafter,
25 request and receive a public hearing on the reclassification.

1 Any principal or assistant principal may be represented by
2 counsel at a private or public hearing conducted under this
3 Section.

4 If the board decides to proceed with the reclassification,
5 it shall give the principal or assistant principal written
6 notice of its decision within 15 days of the private hearing or
7 within 15 days of the public hearing held under this Section
8 whichever is later. The decision of the board thereupon becomes
9 final.

10 Nothing in this Section prohibits a board from ordering
11 lateral transfers of principals or assistant principals to
12 positions of similar rank and equal salary.

13 The changes made by Public Act 94-201 ~~this amendatory Act~~
14 ~~of the 94th General Assembly~~ are declaratory of existing law.

15 (Source: P.A. 94-201, eff. 1-1-06.)

16 (105 ILCS 5/24A-15)

17 Sec. 24A-15. Development of evaluation plan for principals
18 and assistant principals.

19 (a) Each school district, except for a school district
20 organized under Article 34 of this Code, shall establish a
21 principal and assistant principal evaluation plan in
22 accordance with this Section. The plan must ensure that each
23 principal and assistant principal is evaluated as follows:

24 (1) For a principal or assistant principal on a
25 single-year contract, the evaluation must take place by

1 March 1 of each year.

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

6 On and after September 1, 2012, the plan must:

7 (i) rate the principal's or assistant principal's
8 performance as "excellent", "proficient", "needs
9 improvement" or "unsatisfactory"; and

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

12 Nothing in this Section prohibits a school district from
13 conducting additional evaluations of principals and assistant
14 principals.

15 (b) The evaluation shall include a description of the
16 principal's or assistant principal's duties and
17 responsibilities and the standards to which the principal or
18 assistant principal is expected to conform.

19 (c) The evaluation for a principal must be performed by the
20 district superintendent, the superintendent's designee, or, in
21 the absence of the superintendent or his or her designee, an
22 individual appointed by the school board who holds a registered
23 Type 75 State administrative certificate.

24 Prior to September 1, 2012, the evaluation must be in
25 writing and must at least do all of the following:

26 (1) Consider the principal's specific duties,

1 responsibilities, management, and competence as a
2 principal.

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

5 (3) Align with research-based standards established by
6 administrative rule.

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

11 (c-5) The evaluation of an assistant principal must be
12 performed by the principal, the district superintendent, the
13 superintendent's designee, or, in the absence of the
14 superintendent or his or her designee, an individual appointed
15 by the school board who holds a registered Type 75 State
16 administrative certificate. The evaluation must be in writing
17 and must at least do all of the following:

18 (1) Consider the assistant principal's specific
19 duties, responsibilities, management, and competence as a
20 principal.

21 (2) Specify the assistant principal's strengths and
22 weaknesses with supporting reasons.

23 (3) Align with the Illinois Professional Standards for
24 School Leaders or research-based district standards.

25 (d) One copy of the evaluation must be included in the
26 principal's or assistant principal's personnel file and one

1 copy of the evaluation must be provided to the principal or
2 assistant principal.

3 (e) Failure by a district to evaluate a principal or
4 assistant principal and to provide the principal or assistant
5 principal with a copy of the evaluation at least once during
6 the term of the principal's or assistant principal's contract,
7 in accordance with this Section, is evidence that the principal
8 or assistant principal is performing duties and
9 responsibilities in at least a satisfactory manner and shall
10 serve to automatically extend the principal's or assistant
11 principal's contract for a period of one year after the
12 contract would otherwise expire, under the same terms and
13 conditions as the prior year's contract. The requirements in
14 this Section are in addition to the right of a school board to
15 reclassify a principal or assistant principal pursuant to
16 Section 10-23.8b of this Code.

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

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

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