



## 97TH GENERAL ASSEMBLY

### State of Illinois

#### 2011 and 2012

##### HB3171

Introduced 2/24/2011, 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) their evaluation. 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. Provides that no principal (rather than no principal who has completed 2 or more years of administrative service in the school district) may be reclassified by demotion or reduction in rank from one position within a school district to another for which a lower salary is paid without written notice from the board of the proposed reclassification by April 1 of the year in which the contract expires. Effective immediately.

LRB097 02879 NHT 42903 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 or assistant principal of the  
25 district began before or begins on or after the effective date  
26 of this amendatory Act of 1996 and without regard to whether

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

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

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

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

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

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

25 (105 ILCS 5/10-23.8a) (from Ch. 122, par. 10-23.8a)

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

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

24           By accepting the terms of a multi-year contract, the  
25 principal, assistant principal, or administrator waives all  
26 rights granted him or her under Sections 24-11 through 24-16 of

1 this Act only for the term of the multi-year contract. Upon  
2 acceptance of a multi-year contract, the principal, assistant  
3 principal, or administrator shall not lose any previously  
4 acquired tenure credit with the district.

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

6 (105 ILCS 5/10-23.8b) (from Ch. 122, par. 10-23.8b)

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

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

1 days thereafter, request and receive a public hearing on the  
2 reclassification. Any principal or assistant principal may be  
3 represented by counsel at a private or public hearing conducted  
4 under this Section.

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

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

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

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

17 (105 ILCS 5/24A-15)

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

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

25 (1) For a principal or assistant principal on a

1 single-year contract, the evaluation must take place by  
2 March 1 of each year.

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

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

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

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

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

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

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

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



1           (1) Consider the principal's specific duties,  
2           responsibilities, management, and competence as a  
3           principal.

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

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

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

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

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

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

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

26          On and after September 1, 2012, the evaluation must, in

1 addition to the requirements in items (1), (2), and (3) of this  
2 subsection (c-5), provide for the use of data and indicators on  
3 student growth as a significant factor in rating performance.

4 (d) One copy of the evaluation must be included in the  
5 principal's or assistant principal's personnel file and one  
6 copy of the evaluation must be provided to the principal or  
7 assistant principal.

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

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

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

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.