



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB3554

Introduced 2/9/2024, by Sen. Robert Peters

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-85c

Amends the Chicago School District Article of the School Code. In provisions concerning alternative procedures for teacher evaluation, remediation, and removal for cause after remediation, provides that if after the alternative evaluation procedures are determined by the State Board of Education, in a specified report of the State Board of Education, to have clear racial, ethnic, socio-economic, or geographic disparities for the educators evaluated under the alternative evaluation procedures, then the Chicago Board of Education and the exclusive representative of the district's teachers shall enter into negotiations to create a new evaluation system, to be implemented no later than August 15, 2025, that maintains the requirements for the alternative evaluation procedures and remedies the determined racial, ethnic, socio-economic, or geographic disparities. Effective immediately.

LRB103 38423 RJT 68559 b

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 Section  
5 34-85c as follows:

6 (105 ILCS 5/34-85c)

7 Sec. 34-85c. Alternative procedures for teacher  
8 evaluation, remediation, and removal for cause after  
9 remediation.

10 (a) Notwithstanding any law to the contrary, the board and  
11 the exclusive representative of the district's teachers are  
12 hereby authorized to enter into an agreement to establish  
13 alternative procedures for teacher evaluation, remediation,  
14 and removal for cause after remediation, including an  
15 alternative system for peer evaluation and recommendations;  
16 provided, however, that no later than September 1, 2012: (i)  
17 any alternative procedures must include provisions whereby  
18 student performance data is a significant factor in teacher  
19 evaluation and (ii) teachers are rated as "excellent",  
20 "proficient", "needs improvement" or "unsatisfactory".  
21 Pursuant exclusively to that agreement, teachers assigned to  
22 schools identified in that agreement shall be subject to an  
23 alternative performance evaluation plan and remediation

1 procedures in lieu of the plan and procedures set forth in  
2 Article 24A of this Code and alternative removal for cause  
3 standards and procedures in lieu of the removal standards and  
4 procedures set forth in Section 34-85 of this Code. To the  
5 extent that the agreement provides a teacher with an  
6 opportunity for a hearing on removal for cause before an  
7 independent hearing officer in accordance with Section 34-85  
8 or otherwise, the hearing officer shall be governed by the  
9 alternative performance evaluation plan, remediation  
10 procedures, and removal standards and procedures set forth in  
11 the agreement in making findings of fact and a recommendation.

12 (a-5) If the Governor has declared a disaster due to a  
13 public health emergency pursuant to Section 7 of the Illinois  
14 Emergency Management Agency Act that suspends in-person  
15 instruction, the timelines connected to the commencement and  
16 completion of any remediation plan are paused. Except where  
17 the parties mutually agree otherwise and such agreement is in  
18 writing, any remediation plan that had been in place for 45 or  
19 more days prior to the suspension of in-person instruction  
20 shall resume when in-person instruction resumes; any  
21 remediation plan that had been in place for fewer than 45 days  
22 prior to the suspension of in-person instruction shall  
23 discontinue and a new remediation period will begin when  
24 in-person instruction resumes.

25 (a-10) No later than September 1, 2022, the school  
26 district must establish a teacher evaluation plan that ensures

1 that each teacher in contractual continued service whose  
2 performance is rated as either "excellent" or "proficient" is  
3 evaluated at least once in the course of the 3 school years  
4 after receipt of the rating and establish an informal teacher  
5 observation plan that ensures that each teacher in contractual  
6 continued service whose performance is rated as either  
7 "excellent" or "proficient" is informally observed at least  
8 once in the course of the 2 school years after receipt of the  
9 rating.

10 (a-15) For the 2022-2023 school year only, if the Governor  
11 has declared a disaster due to a public health emergency  
12 pursuant to Section 7 of the Illinois Emergency Management  
13 Agency Act, the school district may waive the evaluation  
14 requirement of any teacher in contractual continued service  
15 whose performance was rated as either "excellent" or  
16 "proficient" during the last school year in which the teacher  
17 was evaluated under this Section.

18 (a-20) If after the evaluation procedures established in  
19 subsection (a) of this Section are determined by the State  
20 Board of Education, in the State Board of Education's report  
21 under subsection (e) of Section 24A-20 of this Code, to have  
22 clear racial, ethnic, socio-economic, or geographic  
23 disparities for the educators evaluated under those evaluation  
24 procedures, then the board and the exclusive representative of  
25 the district's teachers shall enter into negotiations to  
26 create a new evaluation system, to be implemented no later

1 than August 15, 2025, that maintains the requirements  
2 established in subsection (a) of this Section and remedies the  
3 determined racial, ethnic, socio-economic, or geographic  
4 disparities.

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

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

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.