

1 AN ACT relating to 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  
5 Section 24-11 as follows:

6 (105 ILCS 5/24-11) (from Ch. 122, par. 24-11)

7 Sec. 24-11. Boards of Education - Boards of School  
8 Inspectors - Contractual continued service. As used in this  
9 and the succeeding Sections of this Article:

10 "Teacher" means any or all school district employees  
11 regularly required to be certified under laws relating to the  
12 certification of teachers.

13 "Board" means board of directors, board of education, or  
14 board of school inspectors, as the case may be.

15 "School term" means that portion of the school year, July  
16 1 to the following June 30, when school is in actual session.

17 This Section and Sections 24-12 through 24-16 of this  
18 Code Article apply only to school districts having less than  
19 500,000 inhabitants.

20 Any teacher who has been employed in any district as a  
21 full-time teacher for a probationary period of 2 consecutive  
22 school terms shall enter upon contractual continued service  
23 unless given written notice of dismissal stating the specific  
24 reason therefor, by certified mail, return receipt requested  
25 by the employing board at least 45 days before the end of  
26 such period; except that for a teacher who is first employed  
27 as a full-time teacher by a school district on or after  
28 January 1, 1998 and who has not before that date already  
29 entered upon contractual continued service in that district,  
30 the probationary period shall be 4 consecutive school terms  
31 before the teacher shall enter upon contractual continued

1 service. For the purpose of determining contractual  
2 continued service, the first probationary year shall be any  
3 full-time employment from a date before November 1 through  
4 the end of the school year. If, however, a teacher who was  
5 first employed prior to January 1, 1998 has not had one  
6 school term of full-time teaching experience before the  
7 beginning of a probationary period of 2 consecutive school  
8 terms, the employing board may at its option extend the  
9 probationary period for one additional school term by giving  
10 the teacher written notice by certified mail, return receipt  
11 requested, at least 45 days before the end of the second  
12 school term of the period of 2 consecutive school terms  
13 referred to above. This notice must state the reasons for  
14 the one year extension and must outline the corrective  
15 actions that the teacher must take to satisfactorily complete  
16 probation. The changes made by this amendatory Act of 1998  
17 are declaratory of existing law.

18 Any full-time teacher who is not completing the last year  
19 of the probationary period described in the preceding  
20 paragraph, or any teacher employed on a full-time basis not  
21 later than January 1 of the school term, shall receive  
22 written notice from the employing board at least 45 days  
23 before the end of any school term whether or not he will be  
24 re-employed for the following school term. If the board fails  
25 to give such notice, the employee shall be deemed reemployed,  
26 and not later than the close of the then current school term  
27 the board shall issue a regular contract to the employee as  
28 though the board had reemployed him in the usual manner.

29 Contractual continued service shall continue in effect  
30 the terms and provisions of the contract with the teacher  
31 during the last school term of the probationary period,  
32 subject to this Act and the lawful regulations of the  
33 employing board. This Section and succeeding Sections do not  
34 modify any existing power of the board except with respect to

1 the procedure of the discharge of a teacher and reductions in  
2 salary as hereinafter provided. Contractual continued service  
3 status shall not restrict the power of the board to transfer  
4 a teacher to a position which the teacher is qualified to  
5 fill or to make such salary adjustments as it deems  
6 desirable, but unless reductions in salary are uniform or  
7 based upon some reasonable classification, any teacher whose  
8 salary is reduced shall be entitled to a notice and a hearing  
9 as hereinafter provided in the case of certain dismissals or  
10 removals.

11 The employment of any teacher in a program of a special  
12 education joint agreement established under Section 3-15.14,  
13 10-22.31 or 10-22.31a shall be under this and succeeding  
14 Sections of this Article. For purposes of attaining and  
15 maintaining contractual continued service and computing  
16 length of continuing service as referred to in this Section  
17 and Section 24-12, employment in a special educational joint  
18 program shall be deemed a continuation of all previous  
19 certificated employment of such teacher for such joint  
20 agreement whether the employer of the teacher was the joint  
21 agreement, the regional superintendent, or one of the  
22 participating districts in the joint agreement.

23 Any teacher employed after July 1, 1987 as a full-time  
24 teacher in a program of a special education joint agreement,  
25 whether the program is operated by the joint agreement or a  
26 member district on behalf of the joint agreement, for a  
27 probationary period of two consecutive years shall enter upon  
28 contractual continued service in all of the programs  
29 conducted by such joint agreement which the teacher is  
30 legally qualified to hold; except that for a teacher who is  
31 first employed on or after January 1, 1998 in a program of a  
32 special education joint agreement and who has not before that  
33 date already entered upon contractual continued service in  
34 all of the programs conducted by the joint agreement that the

1 teacher is legally qualified to hold, the probationary period  
2 shall be 4 consecutive years before the teacher enters upon  
3 contractual continued service in all of those programs. In  
4 the event of a reduction in the number of programs or  
5 positions in the joint agreement, the teacher on contractual  
6 continued service shall be eligible for employment in the  
7 joint agreement programs for which the teacher is legally  
8 qualified in order of greater length of continuing service in  
9 the joint agreement unless an alternative method of  
10 determining the sequence of dismissal is established in a  
11 collective bargaining agreement. In the event of the  
12 dissolution of a joint agreement, the teacher on contractual  
13 continued service who is legally qualified shall be assigned  
14 to any comparable position in a member district currently  
15 held by a teacher who has not entered upon contractual  
16 continued service or held by a teacher who has entered upon  
17 contractual continued service with shorter length of  
18 contractual continued service.

19 The governing board of the joint agreement, or the  
20 administrative district, if so authorized by the articles of  
21 agreement of the joint agreement, rather than the board of  
22 education of a school district, may carry out employment and  
23 termination actions including dismissals under this Section  
24 and Section 24-12.

25 For purposes of this and succeeding Sections of this  
26 Article, a program of a special educational joint agreement  
27 shall be defined as instructional, consultative, supervisory,  
28 administrative, diagnostic, and related services which are  
29 managed by the special educational joint agreement designed  
30 to service two or more districts which are members of the  
31 joint agreement.

32 Each joint agreement shall be required to post by  
33 February 1, a list of all its employees in order of length of  
34 continuing service in the joint agreement, unless an

1 alternative method of determining a sequence of dismissal is  
2 established in an applicable collective bargaining agreement.

3 The employment of any teacher in a special education  
4 program authorized by Section 14-1.01 through 14-14.01, or a  
5 joint educational program established under Section  
6 10-22.31a, shall be under this and the succeeding Sections of  
7 this Article, and such employment shall be deemed a  
8 continuation of the previous employment of such teacher in  
9 any of the participating districts, regardless of the  
10 participation of other districts in the program. Any teacher  
11 employed as a full-time teacher in a special education  
12 program prior to September 23, 1987 in which 2 or more school  
13 districts participate for a probationary period of 2  
14 consecutive years shall enter upon contractual continued  
15 service in each of the participating districts, subject to  
16 this and the succeeding Sections of this Article, and in the  
17 event of the termination of the program shall be eligible for  
18 any vacant position in any of such districts for which such  
19 teacher is qualified.

20 (Source: P.A. 90-548, eff. 1-1-98; 90-653, eff. 7-29-98.)