**Section 51.200** **Purpose and Applicability of this Subpart C**

a) This Subpart C sets forth the requirements for a school district, including a school district organized under Article 34 of the School Code, to implement an optional alternative evaluative dismissal process authorized under Section 24-16.5 of the School Code [105 ILCS 5/24-16.5].

b) A school board may dismiss a tenured teacher using an optional alternative evaluative process if each of the conditions set forth in this subsection (b) are met. (See Section 24-16.5(b) of the School Code.)

1) The tenured teacher is being dismissed due to his or her failure to complete a remediation plan, developed pursuant to Section 24A-5 of the School Code [105 ILCS 5/24A-5], with a rating of "proficient" or better.

2) The "unsatisfactory" rating that precipitated the remediation plan resulted from a performance evaluation process that:

A) addressed teacher practice components and included data and indicators of student growth; and

B) was conducted on or after the date on which the school district was required to implement a performance evaluation plan incorporating data and indicators of student growth or an earlier date, as authorized under Section 24A-2.5 of the School Code [105 ILCS 5/24A-2.5].

3) The school district has complied with the requirements of Section 24-16.5(c) of the School Code and this Subpart C regarding the selection and use of a second evaluator during the pre-remediation and remediation processes.

c) *Nothing in this* Subpart C *is intended to change the existing practices or precedents under Section 24-12 or 34-85 of the School Code, nor shall this* Subpart C *be interpreted as implying standards and procedures that should or must be used as part of a remediation that precedes a dismissal sought under Section 24-12 or 34-85 of the School Code* (Section 24-16.5(b) of the School Code).

(Source: Added at 36 Ill. Reg. 12829, effective July 25, 2012)