**Section 51.220 Selection of Second Evaluators**

a) When a school district determines that it will use the optional alternative evaluative dismissal process for a particular tenured teacher, it shall choose a second evaluator using the process outlined in Section 51.210(d) of this Part from the list established pursuant to Section 51.210(a) of this Part, provided that:

1) the evaluator selected shall not be the same individual who made the determination to assign the affected tenured teacher a performance evaluation rating of "unsatisfactory" (see Section 24-16.5(c)(3) of the School Code); and

2) if the evaluator selected is an administrator, then the evaluator does not directly report to the individual who assigned the "unsatisfactory" rating to the affected tenured teacher (see Section 24-16.5(c)(3) of the School Code).

b) *The school district's authority to select a second evaluator from the list of second evaluators must not be delegated or limited through any agreement with the teacher representatives* (Section 24-16.5(c)(3) of the School Code).

c) Nothing in this Subpart C shall prohibit a school district and its teacher representatives from agreeing to use an individual as a second evaluator who is a member of the exclusive bargaining unit, provided that the individual otherwise qualifies under this Section and Section 24A-3 of the School Code.

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