



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3839

Introduced 1/21/2022, by Sen. Jil Tracy

SYNOPSIS AS INTRODUCED:

105 ILCS 5/21B-45	
105 ILCS 5/24A-5	from Ch. 122, par. 24A-5
105 ILCS 5/24A-7	from Ch. 122, par. 24A-7
105 ILCS 5/24A-15	

Amends the School Code. Provides that for any 5-year renewal cycle that includes the 2021-2022 school year, each professional educator licensee shall complete a total of 100 hours of professional development during the 5-year renewal cycle in order to renew the license (rather than being required to complete a total of 120 hours). For the 2021-2022 school year only, provides that a licensee with an administrative endorsement who is working in a position requiring such endorsement or an individual with a Teacher Leader endorsement serving in an administrative capacity at least 50% of the day is not required to complete an Illinois Administrators' Academy course (rather than being required to complete one course). In provisions related to the content of evaluation plans, allows a school district to waive, for the 2021-2022 and 2022-2023 school years only, the evaluation requirement of any teacher in contractual continued service whose performance during the last school year in which the teacher was evaluated was rated as either "excellent" or "proficient". In regard to rules adopted by the State Board of Education concerning educator evaluations, for the 2021-2022 and 2022-2023 school years only, provides that factors related to methods of measuring student growth may not be used in any educator evaluation. In regard to the development of an evaluation plan for principals and assistant principals, allows a school district to waive, for the 2021-2022 and 2022-2023 school years only, the evaluation requirement of any principal or assistant principal whose performance during the last school year in which the teacher was evaluated was rated as either "excellent" or "proficient". Effective immediately.

LRB102 23967 CMG 33171 b

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 21B-45, 24A-5, 24A-7, and 24A-15 as follows:

6 (105 ILCS 5/21B-45)

7 Sec. 21B-45. Professional Educator License renewal.

8 (a) Individuals holding a Professional Educator License
9 are required to complete the licensure renewal requirements as
10 specified in this Section, unless otherwise provided in this
11 Code.

12 Individuals holding a Professional Educator License shall
13 meet the renewal requirements set forth in this Section,
14 unless otherwise provided in this Code. If an individual holds
15 a license endorsed in more than one area that has different
16 renewal requirements, that individual shall follow the renewal
17 requirements for the position for which he or she spends the
18 majority of his or her time working.

19 (b) All Professional Educator Licenses not renewed as
20 provided in this Section shall lapse on September 1 of that
21 year. Notwithstanding any other provisions of this Section, if
22 a license holder's electronic mail address is available, the
23 State Board of Education shall send him or her notification

1 electronically that his or her license will lapse if not
2 renewed, to be sent no more than 6 months prior to the license
3 lapsing. Lapsed licenses may be immediately reinstated upon
4 (i) payment by the applicant of a \$500 penalty to the State
5 Board of Education or (ii) the demonstration of proficiency by
6 completing 9 semester hours of coursework from a regionally
7 accredited institution of higher education in the content area
8 that most aligns with one or more of the educator's
9 endorsement areas. Any and all back fees, including without
10 limitation registration fees owed from the time of expiration
11 of the license until the date of reinstatement, shall be paid
12 and kept in accordance with the provisions in Article 3 of this
13 Code concerning an institute fund and the provisions in
14 Article 21B of this Code concerning fees and requirements for
15 registration. Licenses not registered in accordance with
16 Section 21B-40 of this Code shall lapse after a period of 6
17 months from the expiration of the last year of registration or
18 on January 1 of the fiscal year following initial issuance of
19 the license. An unregistered license is invalid after
20 September 1 for employment and performance of services in an
21 Illinois public or State-operated school or cooperative and in
22 a charter school. Any license or endorsement may be
23 voluntarily surrendered by the license holder. A voluntarily
24 surrendered license shall be treated as a revoked license. An
25 Educator License with Stipulations with only a
26 paraprofessional endorsement does not lapse.

1 (c) From July 1, 2013 through June 30, 2014, in order to
2 satisfy the requirements for licensure renewal provided for in
3 this Section, each professional educator licensee with an
4 administrative endorsement who is working in a position
5 requiring such endorsement shall complete one Illinois
6 Administrators' Academy course, as described in Article 2 of
7 this Code, per fiscal year.

8 (c-5) All licenses issued by the State Board of Education
9 under this Article that expire on June 30, 2020 and have not
10 been renewed by the end of the 2020 renewal period shall be
11 extended for one year and shall expire on June 30, 2021.

12 (d) Beginning July 1, 2014, in order to satisfy the
13 requirements for licensure renewal provided for in this
14 Section, each professional educator licensee may create a
15 professional development plan each year. The plan shall
16 address one or more of the endorsements that are required of
17 his or her educator position if the licensee is employed and
18 performing services in an Illinois public or State-operated
19 school or cooperative. If the licensee is employed in a
20 charter school, the plan shall address that endorsement or
21 those endorsements most closely related to his or her educator
22 position. Licensees employed and performing services in any
23 other Illinois schools may participate in the renewal
24 requirements by adhering to the same process.

25 Except as otherwise provided in this Section, the
26 licensee's professional development activities shall align

1 with one or more of the following criteria:

2 (1) activities are of a type that engage participants
3 over a sustained period of time allowing for analysis,
4 discovery, and application as they relate to student
5 learning, social or emotional achievement, or well-being;

6 (2) professional development aligns to the licensee's
7 performance;

8 (3) outcomes for the activities must relate to student
9 growth or district improvement;

10 (4) activities align to State-approved standards; and

11 (5) higher education coursework.

12 (e) For each renewal cycle, each professional educator
13 licensee shall engage in professional development activities.
14 Prior to renewal, the licensee shall enter electronically into
15 the Educator Licensure Information System (ELIS) the name,
16 date, and location of the activity, the number of professional
17 development hours, and the provider's name. The following
18 provisions shall apply concerning professional development
19 activities:

20 (1) For any 5-year renewal cycle that does not include
21 the 2021-2022 school year, each ~~Each~~ licensee shall
22 complete a total of 120 hours of professional development
23 per 5-year renewal cycle in order to renew the license,
24 except as otherwise provided in this Section. For any
25 5-year renewal cycle that includes the 2021-2022 school
26 year, each licensee shall complete a total of 100 hours of

1 professional development during the 5-year renewal cycle
2 in order to renew the license, except as otherwise
3 provided in this Section.

4 (2) Beginning with his or her first full 5-year cycle,
5 any licensee with an administrative endorsement who is not
6 working in a position requiring such endorsement is not
7 required to complete Illinois Administrators' Academy
8 courses, as described in Article 2 of this Code. Such
9 licensees must complete one Illinois Administrators'
10 Academy course within one year after returning to a
11 position that requires the administrative endorsement.

12 (3) Any licensee with an administrative endorsement
13 who is working in a position requiring such endorsement or
14 an individual with a Teacher Leader endorsement serving in
15 an administrative capacity at least 50% of the day shall
16 complete one Illinois Administrators' Academy course, as
17 described in Article 2 of this Code, each fiscal year in
18 addition to 100 hours of professional development per
19 5-year renewal cycle in accordance with this Code.
20 However, for the 2021-2022 school year only, a licensee
21 under this paragraph (3) is not required to complete an
22 Illinois Administrators' Academy course.

23 (4) Any licensee holding a current National Board for
24 Professional Teaching Standards (NBPTS) master teacher
25 designation shall complete a total of 60 hours of
26 professional development per 5-year renewal cycle in order

1 to renew the license.

2 (5) Licensees working in a position that does not
3 require educator licensure or working in a position for
4 less than 50% for any particular year are considered to be
5 exempt and shall be required to pay only the registration
6 fee in order to renew and maintain the validity of the
7 license.

8 (6) Licensees who are retired and qualify for benefits
9 from a State of Illinois retirement system shall notify
10 the State Board of Education using ELIS, and the license
11 shall be maintained in retired status. For any renewal
12 cycle in which a licensee retires during the renewal
13 cycle, the licensee must complete professional development
14 activities on a prorated basis depending on the number of
15 years during the renewal cycle the educator held an active
16 license. If a licensee retires during a renewal cycle, the
17 licensee must notify the State Board of Education using
18 ELIS that the licensee wishes to maintain the license in
19 retired status and must show proof of completion of
20 professional development activities on a prorated basis
21 for all years of that renewal cycle for which the license
22 was active. An individual with a license in retired status
23 shall not be required to complete professional development
24 activities or pay registration fees until returning to a
25 position that requires educator licensure. Upon returning
26 to work in a position that requires the Professional

1 Educator License, the licensee shall immediately pay a
2 registration fee and complete renewal requirements for
3 that year. A license in retired status cannot lapse.
4 Beginning on January 6, 2017 (the effective date of Public
5 Act 99-920) through December 31, 2017, any licensee who
6 has retired and whose license has lapsed for failure to
7 renew as provided in this Section may reinstate that
8 license and maintain it in retired status upon providing
9 proof to the State Board of Education using ELIS that the
10 licensee is retired and is not working in a position that
11 requires a Professional Educator License.

12 (7) For any renewal cycle in which professional
13 development hours were required, but not fulfilled, the
14 licensee shall complete any missed hours to total the
15 minimum professional development hours required in this
16 Section prior to September 1 of that year. Professional
17 development hours used to fulfill the minimum required
18 hours for a renewal cycle may be used for only one renewal
19 cycle. For any fiscal year or renewal cycle in which an
20 Illinois Administrators' Academy course was required but
21 not completed, the licensee shall complete any missed
22 Illinois Administrators' Academy courses prior to
23 September 1 of that year. The licensee may complete all
24 deficient hours and Illinois Administrators' Academy
25 courses while continuing to work in a position that
26 requires that license until September 1 of that year.

1 (8) Any licensee who has not fulfilled the
2 professional development renewal requirements set forth in
3 this Section at the end of any 5-year renewal cycle is
4 ineligible to register his or her license and may submit
5 an appeal to the State Superintendent of Education for
6 reinstatement of the license.

7 (9) If professional development opportunities were
8 unavailable to a licensee, proof that opportunities were
9 unavailable and request for an extension of time beyond
10 August 31 to complete the renewal requirements may be
11 submitted from April 1 through June 30 of that year to the
12 State Educator Preparation and Licensure Board. If an
13 extension is approved, the license shall remain valid
14 during the extension period.

15 (10) Individuals who hold exempt licenses prior to
16 December 27, 2013 (the effective date of Public Act
17 98-610) shall commence the annual renewal process with the
18 first scheduled registration due after December 27, 2013
19 (the effective date of Public Act 98-610).

20 (11) Notwithstanding any other provision of this
21 subsection (e), if a licensee earns more than the required
22 number of professional development hours during a renewal
23 cycle, then the licensee may carry over any hours earned
24 from April 1 through June 30 of the last year of the
25 renewal cycle. Any hours carried over in this manner must
26 be applied to the next renewal cycle. Illinois

1 Administrators' Academy courses or hours earned in those
2 courses may not be carried over.

3 (f) At the time of renewal, each licensee shall respond to
4 the required questions under penalty of perjury.

5 (f-5) The State Board of Education shall conduct random
6 audits of licensees to verify a licensee's fulfillment of the
7 professional development hours required under this Section.
8 Upon completion of a random audit, if it is determined by the
9 State Board of Education that the licensee did not complete
10 the required number of professional development hours or did
11 not provide sufficient proof of completion, the licensee shall
12 be notified that his or her license has lapsed. A license that
13 has lapsed under this subsection may be reinstated as provided
14 in subsection (b).

15 (g) The following entities shall be designated as approved
16 to provide professional development activities for the renewal
17 of Professional Educator Licenses:

18 (1) The State Board of Education.

19 (2) Regional offices of education and intermediate
20 service centers.

21 (3) Illinois professional associations representing
22 the following groups that are approved by the State
23 Superintendent of Education:

24 (A) school administrators;

25 (B) principals;

26 (C) school business officials;

1 (D) teachers, including special education
2 teachers;

3 (E) school boards;

4 (F) school districts;

5 (G) parents; and

6 (H) school service personnel.

7 (4) Regionally accredited institutions of higher
8 education that offer Illinois-approved educator
9 preparation programs and public community colleges subject
10 to the Public Community College Act.

11 (5) Illinois public school districts, charter schools
12 authorized under Article 27A of this Code, and joint
13 educational programs authorized under Article 10 of this
14 Code for the purposes of providing career and technical
15 education or special education services.

16 (6) A not-for-profit organization that, as of December
17 31, 2014 (the effective date of Public Act 98-1147), has
18 had or has a grant from or a contract with the State Board
19 of Education to provide professional development services
20 in the area of English Learning to Illinois school
21 districts, teachers, or administrators.

22 (7) State agencies, State boards, and State
23 commissions.

24 (8) Museums as defined in Section 10 of the Museum
25 Disposition of Property Act.

26 (h) Approved providers under subsection (g) of this

1 Section shall make available professional development
2 opportunities that satisfy at least one of the following:

3 (1) increase the knowledge and skills of school and
4 district leaders who guide continuous professional
5 development;

6 (2) improve the learning of students;

7 (3) organize adults into learning communities whose
8 goals are aligned with those of the school and district;

9 (4) deepen educator's content knowledge;

10 (5) provide educators with research-based
11 instructional strategies to assist students in meeting
12 rigorous academic standards;

13 (6) prepare educators to appropriately use various
14 types of classroom assessments;

15 (7) use learning strategies appropriate to the
16 intended goals;

17 (8) provide educators with the knowledge and skills to
18 collaborate;

19 (9) prepare educators to apply research to decision
20 making;

21 (10) provide educators with training on inclusive
22 practices in the classroom that examines instructional and
23 behavioral strategies that improve academic and
24 social-emotional outcomes for all students, with or
25 without disabilities, in a general education setting; or

26 (11) beginning on July 1, 2022, provide educators with

1 training on the physical and mental health needs of
2 students, student safety, educator ethics, professional
3 conduct, and other topics that address the well-being of
4 students and improve the academic and social-emotional
5 outcomes of students.

6 (i) Approved providers under subsection (g) of this
7 Section shall do the following:

8 (1) align professional development activities to the
9 State-approved national standards for professional
10 learning;

11 (2) meet the professional development criteria for
12 Illinois licensure renewal;

13 (3) produce a rationale for the activity that explains
14 how it aligns to State standards and identify the
15 assessment for determining the expected impact on student
16 learning or school improvement;

17 (4) maintain original documentation for completion of
18 activities;

19 (5) provide license holders with evidence of
20 completion of activities;

21 (6) request an Illinois Educator Identification Number
22 (IEIN) for each educator during each professional
23 development activity; and

24 (7) beginning on July 1, 2019, register annually with
25 the State Board of Education prior to offering any
26 professional development opportunities in the current

1 fiscal year.

2 (j) The State Board of Education shall conduct annual
3 audits of a subset of approved providers, except for school
4 districts, which shall be audited by regional offices of
5 education and intermediate service centers. The State Board of
6 Education shall ensure that each approved provider, except for
7 a school district, is audited at least once every 5 years. The
8 State Board of Education may conduct more frequent audits of
9 providers if evidence suggests the requirements of this
10 Section or administrative rules are not being met.

11 (1) (Blank).

12 (2) Approved providers shall comply with the
13 requirements in subsections (h) and (i) of this Section by
14 annually submitting data to the State Board of Education
15 demonstrating how the professional development activities
16 impacted one or more of the following:

17 (A) educator and student growth in regards to
18 content knowledge or skills, or both;

19 (B) educator and student social and emotional
20 growth; or

21 (C) alignment to district or school improvement
22 plans.

23 (3) The State Superintendent of Education shall review
24 the annual data collected by the State Board of Education,
25 regional offices of education, and intermediate service
26 centers in audits to determine if the approved provider

1 has met the criteria and should continue to be an approved
2 provider or if further action should be taken as provided
3 in rules.

4 (k) Registration fees shall be paid for the next renewal
5 cycle between April 1 and June 30 in the last year of each
6 5-year renewal cycle using ELIS. If all required professional
7 development hours for the renewal cycle have been completed
8 and entered by the licensee, the licensee shall pay the
9 registration fees for the next cycle using a form of credit or
10 debit card.

11 (l) Any professional educator licensee endorsed for school
12 support personnel who is employed and performing services in
13 Illinois public schools and who holds an active and current
14 professional license issued by the Department of Financial and
15 Professional Regulation or a national certification board, as
16 approved by the State Board of Education, related to the
17 endorsement areas on the Professional Educator License shall
18 be deemed to have satisfied the continuing professional
19 development requirements provided for in this Section. Such
20 individuals shall be required to pay only registration fees to
21 renew the Professional Educator License. An individual who
22 does not hold a license issued by the Department of Financial
23 and Professional Regulation shall complete professional
24 development requirements for the renewal of a Professional
25 Educator License provided for in this Section.

26 (m) Appeals to the State Educator Preparation and

1 Licensure Board must be made within 30 days after receipt of
2 notice from the State Superintendent of Education that a
3 license will not be renewed based upon failure to complete the
4 requirements of this Section. A licensee may appeal that
5 decision to the State Educator Preparation and Licensure Board
6 in a manner prescribed by rule.

7 (1) Each appeal shall state the reasons why the State
8 Superintendent's decision should be reversed and shall be
9 sent by certified mail, return receipt requested, to the
10 State Board of Education.

11 (2) The State Educator Preparation and Licensure Board
12 shall review each appeal regarding renewal of a license
13 within 90 days after receiving the appeal in order to
14 determine whether the licensee has met the requirements of
15 this Section. The State Educator Preparation and Licensure
16 Board may hold an appeal hearing or may make its
17 determination based upon the record of review, which shall
18 consist of the following:

19 (A) the regional superintendent of education's
20 rationale for recommending nonrenewal of the license,
21 if applicable;

22 (B) any evidence submitted to the State
23 Superintendent along with the individual's electronic
24 statement of assurance for renewal; and

25 (C) the State Superintendent's rationale for
26 nonrenewal of the license.

1 (3) The State Educator Preparation and Licensure Board
2 shall notify the licensee of its decision regarding
3 license renewal by certified mail, return receipt
4 requested, no later than 30 days after reaching a
5 decision. Upon receipt of notification of renewal, the
6 licensee, using ELIS, shall pay the applicable
7 registration fee for the next cycle using a form of credit
8 or debit card.

9 (n) The State Board of Education may adopt rules as may be
10 necessary to implement this Section.

11 (Source: P.A. 101-85, eff. 1-1-20; 101-531, eff. 8-23-19;
12 101-643, eff. 6-18-20; 102-676, eff. 12-3-21.)

13 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

14 Sec. 24A-5. Content of evaluation plans. This Section
15 does not apply to teachers assigned to schools identified in
16 an agreement entered into between the board of a school
17 district operating under Article 34 of this Code and the
18 exclusive representative of the district's teachers in
19 accordance with Section 34-85c of this Code.

20 Each school district to which this Article applies shall
21 establish a teacher evaluation plan which ensures that each
22 teacher in contractual continued service is evaluated at least
23 once in the course of every 2 or 3 school years as provided in
24 this Section.

25 Each school district shall establish a teacher evaluation

1 plan that ensures that:

2 (1) each teacher not in contractual continued service
3 is evaluated at least once every school year; and

4 (2) except as otherwise provided in this Section, each
5 teacher in contractual continued service is evaluated at
6 least once in the course of every 2 school years. However,
7 any teacher in contractual continued service whose
8 performance is rated as either "needs improvement" or
9 "unsatisfactory" must be evaluated at least once in the
10 school year following the receipt of such rating.

11 No later than September 1, 2022, each school district must
12 establish a teacher evaluation plan that ensures that each
13 teacher in contractual continued service whose performance is
14 rated as either "excellent" or "proficient" is evaluated at
15 least once in the course of the 3 school years after receipt of
16 the rating and implement an informal teacher observation plan
17 established by agency rule and by agreement of the joint
18 committee established under subsection (b) of Section 24A-4 of
19 this Code that ensures that each teacher in contractual
20 continued service whose performance is rated as either
21 "excellent" or "proficient" is informally observed at least
22 once in the course of the 2 school years after receipt of the
23 rating.

24 For the 2021-2022 and 2022-2023 school years only, a
25 school district may waive the evaluation requirement of any
26 teacher in contractual continued service whose performance was

1 rated as either "excellent" or "proficient" during the last
2 school year in which the teacher was evaluated under this
3 Section.

4 Notwithstanding anything to the contrary in this Section
5 or any other Section of the School Code, a principal shall not
6 be prohibited from evaluating any teachers within a school
7 during his or her first year as principal of such school. If a
8 first-year principal exercises this option in a school
9 district where the evaluation plan provides for a teacher in
10 contractual continued service to be evaluated once in the
11 course of every 2 or 3 school years, as applicable, then a new
12 2-year or 3-year evaluation plan must be established.

13 The evaluation plan shall comply with the requirements of
14 this Section and of any rules adopted by the State Board of
15 Education pursuant to this Section.

16 The plan shall include a description of each teacher's
17 duties and responsibilities and of the standards to which that
18 teacher is expected to conform, and shall include at least the
19 following components:

20 (a) personal observation of the teacher in the
21 classroom by the evaluator, unless the teacher has no
22 classroom duties.

23 (b) consideration of the teacher's attendance,
24 planning, instructional methods, classroom management,
25 where relevant, and competency in the subject matter
26 taught.

1 (c) by no later than the applicable implementation
2 date, consideration of student growth as a significant
3 factor in the rating of the teacher's performance.

4 (d) prior to September 1, 2012, rating of the
5 performance of teachers in contractual continued service
6 as either:

7 (i) "excellent", "satisfactory" or
8 "unsatisfactory"; or

9 (ii) "excellent", "proficient", "needs
10 improvement" or "unsatisfactory".

11 (e) on and after September 1, 2012, rating of the
12 performance of all teachers as "excellent", "proficient",
13 "needs improvement" or "unsatisfactory".

14 (f) specification as to the teacher's strengths and
15 weaknesses, with supporting reasons for the comments made.

16 (g) inclusion of a copy of the evaluation in the
17 teacher's personnel file and provision of a copy to the
18 teacher.

19 (h) within 30 school days after the completion of an
20 evaluation rating a teacher in contractual continued
21 service as "needs improvement", development by the
22 evaluator, in consultation with the teacher, and taking
23 into account the teacher's on-going professional
24 responsibilities including his or her regular teaching
25 assignments, of a professional development plan directed
26 to the areas that need improvement and any supports that

1 the district will provide to address the areas identified
2 as needing improvement.

3 (i) within 30 school days after completion of an
4 evaluation rating a teacher in contractual continued
5 service as "unsatisfactory", development and commencement
6 by the district of a remediation plan designed to correct
7 deficiencies cited, provided the deficiencies are deemed
8 remediable. In all school districts the remediation plan
9 for unsatisfactory, tenured teachers shall provide for 90
10 school days of remediation within the classroom, unless an
11 applicable collective bargaining agreement provides for a
12 shorter duration. In all school districts evaluations
13 issued pursuant to this Section shall be issued within 10
14 days after the conclusion of the respective remediation
15 plan. However, the school board or other governing
16 authority of the district shall not lose jurisdiction to
17 discharge a teacher in the event the evaluation is not
18 issued within 10 days after the conclusion of the
19 respective remediation plan.

20 (j) participation in the remediation plan by the
21 teacher in contractual continued service rated
22 "unsatisfactory", an evaluator and a consulting teacher
23 selected by the evaluator of the teacher who was rated
24 "unsatisfactory", which consulting teacher is an
25 educational employee as defined in the Educational Labor
26 Relations Act, has at least 5 years' teaching experience,

1 and a reasonable familiarity with the assignment of the
2 teacher being evaluated, and who received an "excellent"
3 rating on his or her most recent evaluation. Where no
4 teachers who meet these criteria are available within the
5 district, the district shall request and the applicable
6 regional office of education shall supply, to participate
7 in the remediation process, an individual who meets these
8 criteria.

9 In a district having a population of less than 500,000
10 with an exclusive bargaining agent, the bargaining agent
11 may, if it so chooses, supply a roster of qualified
12 teachers from whom the consulting teacher is to be
13 selected. That roster shall, however, contain the names of
14 at least 5 teachers, each of whom meets the criteria for
15 consulting teacher with regard to the teacher being
16 evaluated, or the names of all teachers so qualified if
17 that number is less than 5. In the event of a dispute as to
18 qualification, the State Board shall determine
19 qualification.

20 (k) a mid-point and final evaluation by an evaluator
21 during and at the end of the remediation period,
22 immediately following receipt of a remediation plan
23 provided for under subsections (i) and (j) of this
24 Section. Each evaluation shall assess the teacher's
25 performance during the time period since the prior
26 evaluation; provided that the last evaluation shall also

1 include an overall evaluation of the teacher's performance
2 during the remediation period. A written copy of the
3 evaluations and ratings, in which any deficiencies in
4 performance and recommendations for correction are
5 identified, shall be provided to and discussed with the
6 teacher within 10 school days after the date of the
7 evaluation, unless an applicable collective bargaining
8 agreement provides to the contrary. These subsequent
9 evaluations shall be conducted by an evaluator. The
10 consulting teacher shall provide advice to the teacher
11 rated "unsatisfactory" on how to improve teaching skills
12 and to successfully complete the remediation plan. The
13 consulting teacher shall participate in developing the
14 remediation plan, but the final decision as to the
15 evaluation shall be done solely by the evaluator, unless
16 an applicable collective bargaining agreement provides to
17 the contrary. Evaluations at the conclusion of the
18 remediation process shall be separate and distinct from
19 the required annual evaluations of teachers and shall not
20 be subject to the guidelines and procedures relating to
21 those annual evaluations. The evaluator may but is not
22 required to use the forms provided for the annual
23 evaluation of teachers in the district's evaluation plan.

24 (1) reinstatement to the evaluation schedule set forth
25 in the district's evaluation plan for any teacher in
26 contractual continued service who achieves a rating equal

1 to or better than "satisfactory" or "proficient" in the
2 school year following a rating of "needs improvement" or
3 "unsatisfactory".

4 (m) dismissal in accordance with subsection (d) of
5 Section 24-12 or Section 24-16.5 or 34-85 of this Code of
6 any teacher who fails to complete any applicable
7 remediation plan with a rating equal to or better than a
8 "satisfactory" or "proficient" rating. Districts and
9 teachers subject to dismissal hearings are precluded from
10 compelling the testimony of consulting teachers at such
11 hearings under subsection (d) of Section 24-12 or Section
12 24-16.5 or 34-85 of this Code, either as to the rating
13 process or for opinions of performances by teachers under
14 remediation.

15 (n) After the implementation date of an evaluation
16 system for teachers in a district as specified in Section
17 24A-2.5 of this Code, if a teacher in contractual
18 continued service successfully completes a remediation
19 plan following a rating of "unsatisfactory" in an overall
20 performance evaluation received after the foregoing
21 implementation date and receives a subsequent rating of
22 "unsatisfactory" in any of the teacher's overall
23 performance evaluation ratings received during the
24 36-month period following the teacher's completion of the
25 remediation plan, then the school district may forego
26 remediation and seek dismissal in accordance with

1 subsection (d) of Section 24-12 or Section 34-85 of this
2 Code.

3 Nothing in this Section or Section 24A-4 shall be
4 construed as preventing immediate dismissal of a teacher for
5 deficiencies which are deemed irremediable or for actions
6 which are injurious to or endanger the health or person of
7 students in the classroom or school, or preventing the
8 dismissal or non-renewal of teachers not in contractual
9 continued service for any reason not prohibited by applicable
10 employment, labor, and civil rights laws. Failure to strictly
11 comply with the time requirements contained in Section 24A-5
12 shall not invalidate the results of the remediation plan.

13 Nothing contained in this amendatory Act of the 98th
14 General Assembly repeals, supersedes, invalidates, or
15 nullifies final decisions in lawsuits pending on the effective
16 date of this amendatory Act of the 98th General Assembly in
17 Illinois courts involving the interpretation of Public Act
18 97-8.

19 If the Governor has declared a disaster due to a public
20 health emergency pursuant to Section 7 of the Illinois
21 Emergency Management Agency Act that suspends in-person
22 instruction, the timelines in this Section connected to the
23 commencement and completion of any remediation plan are
24 waived. Except if the parties mutually agree otherwise and the
25 agreement is in writing, any remediation plan that had been in
26 place for more than 45 days prior to the suspension of

1 in-person instruction shall resume when in-person instruction
2 resumes and any remediation plan that had been in place for
3 fewer than 45 days prior to the suspension of in-person
4 instruction shall be discontinued and a new remediation period
5 shall begin when in-person instruction resumes. The
6 requirements of this paragraph apply regardless of whether
7 they are included in a school district's teacher evaluation
8 plan.

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

10 (105 ILCS 5/24A-7) (from Ch. 122, par. 24A-7)

11 Sec. 24A-7. Rules. The State Board of Education is
12 authorized to adopt such rules as are deemed necessary to
13 implement and accomplish the purposes and provisions of this
14 Article, including, but not limited to, rules:

15 (1) relating to the methods for measuring student
16 growth (including, but not limited to, limitations on the
17 age of usable data; the amount of data needed to reliably
18 and validly measure growth for the purpose of teacher and
19 principal evaluations; and whether and at what time annual
20 State assessments may be used as one of multiple measures
21 of student growth);

22 (2) defining the term "significant factor" for
23 purposes of including consideration of student growth in
24 performance ratings;

25 (3) controlling for such factors as student

1 characteristics (including, but not limited to, students
2 receiving special education and English Learner services),
3 student attendance, and student mobility so as to best
4 measure the impact that a teacher, principal, school and
5 school district has on students' academic achievement;

6 (4) establishing minimum requirements for district
7 teacher and principal evaluation instruments and
8 procedures; and

9 (5) establishing a model evaluation plan for use by
10 school districts in which student growth shall comprise
11 50% of the performance rating.

12 Notwithstanding any other rule or law to the contrary, for
13 the 2021-2022 and 2022-2023 school years only, student growth
14 measures described under paragraph (1) of this Section and in
15 administrative rules adopted by the State Board of Education
16 may not be used as a factor in any evaluation under this
17 Article.

18 Notwithstanding any other provision in this Section, such
19 rules shall not preclude a school district having 500,000 or
20 more inhabitants from using an annual State assessment as the
21 sole measure of student growth for purposes of teacher or
22 principal evaluations.

23 The State Superintendent of Education shall convene a
24 Performance Evaluation Advisory Council, which shall be
25 staffed by the State Board of Education. Members of the
26 Council shall be selected by the State Superintendent and

1 include, without limitation, representatives of teacher unions
2 and school district management, persons with expertise in
3 performance evaluation processes and systems, as well as other
4 stakeholders. The Council shall meet at least quarterly and
5 may also meet at the call of the chairperson of the Council,
6 following August 18, 2017 (the effective date of Public Act
7 100-211) until June 30, 2024. The Council shall advise the
8 State Board of Education on the ongoing implementation of
9 performance evaluations in this State, which may include
10 gathering public feedback, sharing best practices, consulting
11 with the State Board on any proposed rule changes regarding
12 evaluations, and other subjects as determined by the
13 chairperson of the Council.

14 Prior to the applicable implementation date, these rules
15 shall not apply to teachers assigned to schools identified in
16 an agreement entered into between the board of a school
17 district operating under Article 34 of this Code and the
18 exclusive representative of the district's teachers in
19 accordance with Section 34-85c of this Code.

20 (Source: P.A. 102-252, eff. 1-1-22; 102-558, eff. 8-20-21.)

21 (105 ILCS 5/24A-15)

22 Sec. 24A-15. Development of evaluation plan for principals
23 and assistant principals.

24 (a) Each school district, except for a school district
25 organized under Article 34 of this Code, shall establish a

1 principal and assistant principal evaluation plan in
2 accordance with this Section. The plan must ensure that each
3 principal and assistant principal is evaluated as follows:

4 (1) For a principal or assistant principal on a
5 single-year contract, the evaluation must take place by
6 March 1 of each year.

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

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

12 (i) rate the principal's or assistant principal's
13 performance as "excellent", "proficient", "needs
14 improvement" or "unsatisfactory"; and

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

17 Nothing in this Section prohibits a school district from
18 conducting additional evaluations of principals and assistant
19 principals.

20 For the 2021-2022 and 2022-2023 school years only, a
21 school district may waive the evaluation requirement of any
22 principal or assistant principal whose performance was rated
23 as either "excellent" or "proficient" during the last school
24 year in which the principal or assistant principal was
25 evaluated under this Section.

26 (b) The evaluation shall include a description of the

1 principal's or assistant principal's duties and
2 responsibilities and the standards to which the principal or
3 assistant principal is expected to conform.

4 (c) The evaluation for a principal must be performed by
5 the district superintendent, the superintendent's designee,
6 or, in the absence of the superintendent or his or her
7 designee, an individual appointed by the school board who
8 holds a registered Type 75 State administrative certificate.

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

11 (1) Consider the principal's specific duties,
12 responsibilities, management, and competence as a
13 principal.

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

16 (3) Align with research-based standards established by
17 administrative rule.

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

22 (c-5) The evaluation of an assistant principal must be
23 performed by the principal, the district superintendent, the
24 superintendent's designee, or, in the absence of the
25 superintendent or his or her designee, an individual appointed
26 by the school board who holds a registered Type 75 State

1 administrative certificate. The evaluation must be in writing
2 and must at least do all of the following:

3 (1) Consider the assistant principal's specific
4 duties, responsibilities, management, and competence as an
5 assistant principal.

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

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

10 On and after September 1, 2012, the evaluation must, in
11 addition to the requirements in items (1), (2), and (3) of this
12 subsection (c-5), provide for the use of data and indicators
13 on student growth as a significant factor in rating
14 performance.

15 (d) One copy of the evaluation must be included in the
16 principal's or assistant principal's personnel file and one
17 copy of the evaluation must be provided to the principal or
18 assistant principal.

19 (e) Failure by a district to evaluate a principal or
20 assistant principal and to provide the principal or assistant
21 principal with a copy of the evaluation at least once during
22 the term of the principal's or assistant principal's contract,
23 in accordance with this Section, is evidence that the
24 principal or assistant principal is performing duties and
25 responsibilities in at least a satisfactory manner and shall
26 serve to automatically extend the principal's or assistant

1 principal's contract for a period of one year after the
2 contract would otherwise expire, under the same terms and
3 conditions as the prior year's contract. The requirements in
4 this Section are in addition to the right of a school board to
5 reclassify a principal or assistant principal pursuant to
6 Section 10-23.8b of this Code.

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

10 (Source: P.A. 96-861, eff. 1-15-10; 97-217, eff. 7-28-11.)

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