

1 AN ACT concerning schools.

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 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 but before the effective date of this
29 amendatory Act of the 93rd General Assembly and who has not
30 before January 1, 1998 that--date already entered upon
31 contractual continued service in that district, the

1 probationary period shall be 4 consecutive school terms
2 before the teacher shall enter upon contractual continued
3 service. For the purpose of determining contractual
4 continued service, the first probationary year shall be any
5 full-time employment from a date before November 1 through
6 the end of the school year. If, however, a teacher who was
7 first employed prior to January 1, 1998 or first employed on
8 or after the effective date of this amendatory Act of the
9 93rd General Assembly has not had one school term of
10 full-time teaching experience before the beginning of a
11 probationary period of 2 consecutive school terms, the
12 employing board may at its option extend the probationary
13 period for one additional school term by giving the teacher
14 written notice by certified mail, return receipt requested,
15 at least 45 days before the end of the second school term of
16 the period of 2 consecutive school terms referred to above.
17 This notice must state the reasons for the one year extension
18 and must outline the corrective actions that the teacher must
19 take to satisfactorily complete probation. The changes made
20 by this amendatory Act of 1998 are declaratory of existing
21 law.

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

33 Contractual continued service shall continue in effect
34 the terms and provisions of the contract with the teacher

1 during the last school term of the probationary period,
2 subject to this Act and the lawful regulations of the
3 employing board. This Section and succeeding Sections do not
4 modify any existing power of the board except with respect to
5 the procedure of the discharge of a teacher and reductions in
6 salary as hereinafter provided. Contractual continued service
7 status shall not restrict the power of the board to transfer
8 a teacher to a position which the teacher is qualified to
9 fill or to make such salary adjustments as it deems
10 desirable, but unless reductions in salary are uniform or
11 based upon some reasonable classification, any teacher whose
12 salary is reduced shall be entitled to a notice and a hearing
13 as hereinafter provided in the case of certain dismissals or
14 removals.

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

27 Any teacher employed after July 1, 1987 as a full-time
28 teacher in a program of a special education joint agreement,
29 whether the program is operated by the joint agreement or a
30 member district on behalf of the joint agreement, for a
31 probationary period of two consecutive years shall enter upon
32 contractual continued service in all of the programs
33 conducted by such joint agreement which the teacher is
34 legally qualified to hold; except that for a teacher who is

1 first employed on or after January 1, 1998 but before the
2 effective date of this amendatory Act of the 93rd General
3 Assembly in a program of a special education joint agreement
4 and who has not before January 1, 1998 that--date already
5 entered upon contractual continued service in all of the
6 programs conducted by the joint agreement that the teacher is
7 legally qualified to hold, the probationary period shall be 4
8 consecutive years before the teacher enters upon contractual
9 continued service in all of those programs. In the event of
10 a reduction in the number of programs or positions in the
11 joint agreement, the teacher on contractual continued service
12 shall be eligible for employment in the joint agreement
13 programs for which the teacher is legally qualified in order
14 of greater length of continuing service in the joint
15 agreement unless an alternative method of determining the
16 sequence of dismissal is established in a collective
17 bargaining agreement. In the event of the dissolution of a
18 joint agreement, the teacher on contractual continued service
19 who is legally qualified shall be assigned to any comparable
20 position in a member district currently held by a teacher who
21 has not entered upon contractual continued service or held by
22 a teacher who has entered upon contractual continued service
23 with shorter length of contractual continued service.

24 The governing board of the joint agreement, or the
25 administrative district, if so authorized by the articles of
26 agreement of the joint agreement, rather than the board of
27 education of a school district, may carry out employment and
28 termination actions including dismissals under this Section
29 and Section 24-12.

30 For purposes of this and succeeding Sections of this
31 Article, a program of a special educational joint agreement
32 shall be defined as instructional, consultative, supervisory,
33 administrative, diagnostic, and related services which are
34 managed by the special educational joint agreement designed

1 to service two or more districts which are members of the
2 joint agreement.

3 Each joint agreement shall be required to post by
4 February 1, a list of all its employees in order of length of
5 continuing service in the joint agreement, unless an
6 alternative method of determining a sequence of dismissal is
7 established in an applicable collective bargaining agreement.

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

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

26 Section 90. The State Mandates Act is amended by adding
27 Section 8.27 as follows:

28 (30 ILCS 805/8.27 new)

29 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6
30 and 8 of this Act, no reimbursement by the State is required
31 for the implementation of any mandate created by this
32 amendatory Act of the 93rd General Assembly.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.