

SB3394



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3394

Introduced 2/7/2012, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-84

from Ch. 122, par. 34-84

Amends the Chicago School District Article of the School Code. Provides that there shall be no reduction in teachers because of a decrease in student membership or a change in subject requirements within the attendance center organization after the first day (instead of the 20th day following the first day) of the school year, except under certain circumstances.

LRB097 20132 RPM 65522 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 Section
5 34-84 as follows:

6 (105 ILCS 5/34-84) (from Ch. 122, par. 34-84)

7 Sec. 34-84. Appointments and promotions of teachers.
8 Appointments and promotions of teachers shall be made for merit
9 only, and after satisfactory service for a probationary period
10 of 3 years with respect to probationary employees employed as
11 full-time teachers in the public school system of the district
12 before January 1, 1998 and 4 years with respect to probationary
13 employees who are first employed as full-time teachers in the
14 public school system of the district on or after January 1,
15 1998, during which period the board may dismiss or discharge
16 any such probationary employee upon the recommendation,
17 accompanied by the written reasons therefor, of the general
18 superintendent of schools and after which period appointments
19 of teachers shall become permanent, subject to removal for
20 cause in the manner provided by Section 34-85.

21 For a probationary-appointed teacher in full-time service
22 who is appointed on or after July 1, 2013 and who receives
23 ratings of "excellent" during his or her first 3 school terms

1 of full-time service, the probationary period shall be 3 school
2 terms of full-time service. For a probationary-appointed
3 teacher in full-time service who is appointed on or after July
4 1, 2013 and who had previously entered into contractual
5 continued service in another school district in this State or a
6 program of a special education joint agreement in this State,
7 as defined in Section 24-11 of this Code, the probationary
8 period shall be 2 school terms of full-time service, provided
9 that (i) the teacher voluntarily resigned or was honorably
10 dismissed from the prior district or program within the 3-month
11 period preceding his or her appointment date, (ii) the
12 teacher's last 2 ratings in the prior district or program were
13 at least "proficient" and were issued after the prior
14 district's or program's PERA implementation date, as defined in
15 Section 24-11 of this Code, and (iii) the teacher receives
16 ratings of "excellent" during his or her first 2 school terms
17 of full-time service.

18 For a probationary-appointed teacher in full-time service
19 who is appointed on or after July 1, 2013 and who has not
20 entered into contractual continued service after 2 or 3 school
21 terms of full-time service as provided in this Section, the
22 probationary period shall be 4 school terms of full-time
23 service, provided that the teacher receives a rating of at
24 least "proficient" in the last school term and a rating of at
25 least "proficient" in either the second or third school term.

26 As used in this Section, "school term" means the school

1 term established by the board pursuant to Section 10-19 of this
2 Code, and "full-time service" means the teacher has actually
3 worked at least 150 days during the school term. As used in
4 this Article, "teachers" means and includes all members of the
5 teaching force excluding the general superintendent and
6 principals.

7 There shall be no reduction in teachers because of a
8 decrease in student membership or a change in subject
9 requirements within the attendance center organization after
10 the ~~20th day following the~~ first day of the school year, except
11 that: (1) this provision shall not apply to desegregation
12 positions, special education positions, or any other positions
13 funded by State or federal categorical funds, and (2) at
14 attendance centers maintaining any of grades 9 through 12,
15 there may be a second reduction in teachers on the first day of
16 the second semester of the regular school term because of a
17 decrease in student membership or a change in subject
18 requirements within the attendance center organization.

19 The school principal shall make the decision in selecting
20 teachers to fill new and vacant positions consistent with
21 Section 34-8.1.

22 (Source: P.A. 97-8, eff. 6-13-11.)