

Illinois Compiled Statutes
School Code
Article 24A.
Evaluation of Certified Employees

Sec. 24A-1. Purpose.

The purpose of this Article is to improve the educational services of the elementary and secondary public schools of Illinois by requiring that all certified school district employees be evaluated on a periodic basis and that the evaluations result in remedial action being taken when deemed necessary.

Sec. 24A-2. Application.

The provisions of this Article shall apply to all public school districts organized and operating pursuant to the provisions of this Code, including special charter districts and those school districts operating in accordance with Article 34 [105 ILCS 5/34-1 et seq.].

Sec. 24A-3. Evaluation training.

Beginning January 1, 1986, school boards shall require those administrators, or - in school districts having a population exceeding 500,000 - assistant principals, who evaluate other certified personnel to participate at least once every 2 years in an inservice workshop on either school improvement or the evaluation of certified personnel provided by the State Board of Education.

Sec. 24A-4. Development and submission of evaluation plan.

As used in this and the succeeding Sections, "teacher" means any and all school district employees regularly required to be certified under laws relating to the certification of teachers. Each school district shall develop, in cooperation with its teachers or, where applicable, the exclusive bargaining representatives of its teachers, an evaluation plan for all teachers in contractual continued service. The district shall, no later than October 1, 1986, submit a copy of its evaluation plan to the State Board of Education, which shall review the plan and make public its comments thereon, and the district shall at the same time provide a copy to the exclusive bargaining representatives. Whenever any substantive change is made in a district's evaluation plan, the new plan shall be submitted to the State Board of Education for review and comment, and the district shall at the same time provide a copy of any such new plan to the exclusive bargaining representatives.

Sec. 24A-5. Content of evaluation plans.

Each school district to which this Article applies shall establish a teacher evaluation plan which ensures that each teacher in contractual continued service is evaluated at least once in the course of every 2 school years, beginning with the 1986-87 school year.

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

The plan shall include a description of each teacher's duties and responsibilities and of the standards to which that teacher is expected to conform.

The plan may provide for evaluation of personnel whose positions require administrative certification by independent evaluators not employed by or affiliated with the school district. The results of the school district administrators' evaluations shall be reported to the employing school board, together with such recommendations for remediation as the evaluator or evaluators may deem appropriate.

Evaluation of teachers whose positions do not require administrative certification shall be conducted by an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3], or - in school districts having a population exceeding 500,000 - by either an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3] or an assistant principal under the supervision of an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3], and shall include at least the following components:

- (a) personal observation of the teacher in the classroom (on at least 2 different school days in school districts having a population exceeding 500,000) by a district administrator qualified under Section 24A-3 [105 ILCS 5/24A-3], or - in school districts having a population exceeding 500,000 - by either an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3] or an assistant principal under the supervision of an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3], unless the teacher has no classroom duties.
- (b) consideration of the teacher's attendance, planning, and instructional methods, classroom management, where relevant, and competency in the subject matter taught, where relevant.
- (c) rating of the teacher's performance as "excellent", "satisfactory" or "unsatisfactory".
- (d) specification as to the teacher's strengths and weaknesses, with supporting reasons for the comments made.
- (e) inclusion of a copy of the evaluation in the teacher's personnel file and provision of a copy to the teacher.
- (f) within 30 days after completion of an evaluation rating a teacher as "unsatisfactory", development and commencement by the district, or by an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3] or an assistant principal under the supervision of an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3] in school districts having a population exceeding 500,000, of a remediation plan designed to correct deficiencies cited, provided the deficiencies are deemed remediable. In all school districts the remediation plan for unsatisfactory, tenured teachers shall provide for 90 school days of remediation within the classroom. In all school districts evaluations issued pursuant to this Section shall be issued within 10 days after the conclusion of the respective remediation plan. However, the school board or other governing authority of the district shall not lose jurisdiction to discharge a teacher in the event the evaluation is not issued within 10 days after the conclusion of the respective remediation plan.
- (g) participation in the remediation plan by the teacher rated "unsatisfactory", a district administrator qualified under Section 24A-3 [105 ILCS 5/24A-3] (or - in a school district having a population exceeding 500,000 - an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3] or an assistant principal under the supervision of an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3]), and a consulting teacher, selected by the participating administrator or by the principal, or - in school districts having a population exceeding 500,000 - by an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3] or by an assistant principal under the supervision of an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3], of the teacher who was rated "unsatisfactory", which consulting teacher is an educational employee as defined in the Educational Labor Relations Act [115 ILCS 5/1 et seq.], has at least 5 years' teaching experience and a reasonable familiarity with the assignment of the teacher being evaluated, and who received an "excellent" rating on his or her most recent evaluation. Where no teachers who meet these criteria are available within the district, the district shall request and the State Board of Education shall supply, to participate in the remediation process, an individual who meets these criteria.
- (h) In a district having a population of less than 500,000 with an exclusive bargaining agent, the bargaining agent may, if it so chooses, supply a roster of qualified teachers from whom the consulting teacher is to be selected. That roster shall, however, contain the names of at least 5 teachers, each of whom meets the criteria for consulting teacher with regard to the teacher being evaluated, or the names of all teachers so qualified if that number is less than 5. In the event of a dispute as to qualification, the State Board shall determine qualification.

- (i) evaluations and ratings once every 30 school days for the 90 school day remediation period immediately following receipt of a remediation plan provided for under subsections (f) and (g) of this Section; provided that in school districts having a population exceeding 500,000 there shall be monthly evaluations and ratings for the first 6 months and quarterly evaluations and ratings for the next 6 months immediately following completion of the remediation program of a teacher for whom a remediation plan has been developed. These subsequent evaluations shall be conducted by the participating administrator, or - in school districts having a population exceeding 500,000 - by either the principal or by an assistant principal under the supervision of an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3]. The consulting teacher shall provide advice to the teacher rated "unsatisfactory" on how to improve teaching skills and to successfully complete the remediation plan. The consulting teacher shall participate in developing the remediation plan, but the final decision as to the evaluation shall be done solely by the administrator, or - in school districts having a population exceeding 500,000 - by either the principal or by an assistant principal under the supervision of an administrator qualified under Section 24A-3 [105 ILCS 5/24A-3], unless an applicable collective bargaining agreement provides to the contrary. Teachers in the remediation process in a school district having a population exceeding 500,000 are not subject to the annual evaluations described in paragraphs (a) through (e) of this Section. Evaluations at the conclusion of the remediation process shall be separate and distinct from the required annual evaluations of teachers and shall not be subject to the guidelines and procedures relating to those annual evaluations. The evaluator may but is not required to use the forms provided for the annual evaluation of teachers in the district's evaluation plan.
- (j) in school districts having a population of less than 500,000, reinstatement to a schedule of biennial evaluation for any teacher who completes the 90 school day remediation plan with a "satisfactory" or better rating, unless the district's plan regularly requires more frequent evaluations; and in school districts having a population exceeding 500,000, reinstatement to a schedule of biennial evaluation for any teacher who completes the 90 school day remediation plan with a "satisfactory" or better rating and the one year intensive review schedule as provided in paragraph (h) of this Section with a "satisfactory" or better rating, unless such district's plan regularly requires more frequent evaluations.
- (k) dismissal in accordance with Section 24-12 or 34-85 of The School Code [105 ILCS 5/24-12 or 105 ILCS 5/34-85] of any teacher who fails to complete any applicable remediation plan with a "satisfactory" or better rating. Districts and teachers subject to dismissal hearings are precluded from compelling the testimony of consulting teachers at such hearings under Section 24-12 or 34-85 [105 ILCS 5/24-12 or 105 ILCS 5/34-85], either as to the rating process or for opinions of performances by teachers under remediation.

In a district subject to a collective bargaining agreement as of the effective date of this amendatory Act of 1997, any changes made by this amendatory Act to the provisions of this Section that are contrary to the express terms and provisions of that agreement shall go into effect in that district only upon expiration of that agreement. Thereafter, collectively bargained evaluation plans shall at a minimum meet the standards of this Article. If such a district has an evaluation plan, however, whether pursuant to the collective bargaining agreement or otherwise, a copy of that plan shall be submitted to the State Board of Education for review and comment, in accordance with Section 24A-4 [105 ILCS 5/24A-4].

Nothing in this Section shall be construed as preventing immediate dismissal of a teacher for deficiencies which are deemed irremediable or for actions which are injurious to or endanger the health or person of students in the classroom or school. Failure to strictly comply with the time requirements contained in Section 24A-5 [105 ILCS 5/24A-5] shall not invalidate the results of the remediation plan.

Sec. 24A-6. Alternative evaluations.

The school board of any school district which has not evaluated all of its teachers by the end of the 1987-88 school year, or which fails to evaluate such teachers within every 2 school years thereafter, as provided for in this Article shall report the names and titles of such employees and the reasons for the failure to evaluate to the State Board of Education. In districts where a collectively bargained plan already exists, that plan shall be used to evaluate the teachers in that district, rather than using the evaluation plan developed by the State Board of Education unless the collectively bargained plan does not meet the requirements of subsections (a) through (d) of Section 24A-5 [105 ILCS 5/24A-5]. In cases where an evaluation instrument is in dispute, the State Board of Education shall postpone its evaluation until the dispute is resolved. Upon receipt of such reports or if otherwise made aware that such evaluations have not been conducted, the State Board of Education shall enter upon the district premises and evaluate the teachers in accordance with an evaluation plan developed by the State Board of Education, which plan shall parallel as closely as possible the requirements of subsections (a) through (d) of Section 24A.5 [105 ILCS 5/24A-5]. The results of the State Board evaluation shall be communicated to the school board, which shall supply a copy to the teacher, place a copy in the teacher's personnel file, and, where necessary, undertake a remediation program as defined in subsections (f) through (j) of Section 24A-5 [105 ILCS 5/24A-5].

Sec. 24A-7. Rules.

The State Board of Education is authorized to adopt such rules as are deemed necessary to implement and accomplish the purposes and provisions of this Article.

Sec. 24A-8. Evaluation of teachers not in contractual continued service.

Beginning with the 1987-88 school year each teacher not in contractual continued service shall be evaluated at least once each school year.