

KTJ

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LEGAL ALERT

TEACHERS GRANTED RIGHT TO APPEAL AN “UNSATISFACTORY” PERFORMANCE EVALUATION RATING

Public Act 101-0591 adds a new section to the School Code which gives a teacher the right to appeal an unsatisfactory performance evaluation. The process for such appeal is to be developed and implemented by the school district through bargaining with the teachers’ union. The process must include an assessment of the original rating by a panel of qualified evaluators agreed to by the joint committee now charged with incorporating the use of data and indicators of student growth as a significant factor in teacher performance evaluations under the teacher evaluation section of the School Code [Section 24A]. That joint committee is to be composed of equal representation selected by the school district and union. The joint committee is to develop the criteria to be used by the panel to review and assess an unsatisfactory rating. The panel must be authorized to revoke any "unsatisfactory" rating that it finds to be “erroneous”. The issuance of a rating to replace an "unsatisfactory" rating must also be determined through bargaining between the union and the school district.

The Open Meetings Act does not apply to meetings of this joint committee.

The effective date of this Act August 27, 2019, but this appeals process is required to begin with the next school year, 2020-2021.

[105 ILCS 5/24A-5.5 \[new\]](#)

For any questions or comments you might have regarding this newsletter, please feel free to contact:

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