








Illinois

Law Analyzed	Performance Evaluation Reform Act of 2010 (SB 315), SB 7
Date Passed	January 2010, June 2011
Overall Rating	7.5




Illinois has passed two major pieces of teacher effectiveness legislation in recent years, both under Democratic governors and Democratic-controlled legislatures. The Performance Evaluation Reform Act (PERA) of 2010, also known as SB 315, passed as part of the state’s Race to the Top effort, requires districts to create systems of teacher evaluations that consider student learning growth as a “significant factor.” SB 7, passed with the support of the state’s teachers’ unions, ends the practice of “last in, first out” teacher layoffs in Illinois, requires reductions in force to be based on teacher evaluations rather than seniority, conditions tenure on effectiveness for new teachers, and makes it easier for districts to remove low-performing teachers. Illinois’ law also allows districts to suspend teachers without pay during the appeals process for teacher dismissals.

Both pieces of legislation represent significant progress for the state of Illinois, but areas of improvement remain, including making evaluations annual for all teachers (the law currently requires evaluation only every two years for non-probationary teachers), holding teacher preparation programs accountable for the performance of their graduates, allowing parents to receive information on the performance of their children’s teachers, and barring students from being assigned to ineffective teachers for two consecutive years. One other issue that is not addressed in the following scorecard is that Illinois law sets an exceptionally long timeline for the implementation of new teacher evaluations—some districts are not required to have evaluations in place until 2016.



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Criteria	Explanation	Score
Are teachers evaluated at least annually?	Teachers are evaluated annually if they are non-tenured or received a rating of “unsatisfactory” or “needs improvement” in their last evaluation. Other teachers are evaluated only every two years. Teachers who are not evaluated when they are supposed to be are treated, for tenure and other decisions, as if they had been rated “proficient.”	
Are principals, as well as teachers, evaluated?	Yes. PERA requires annual principal evaluations, and the Performance Evaluation Advisory Council has developed a state model for principal evaluation.	
Is evidence of student learning a factor in teacher evaluations?	Student growth is a “significant factor” in the rating of teachers’ performance. The State Board of Education has recommended that student growth constitute at least 25 percent of an educator’s evaluation in 2012-13 and 30 percent thereafter. For districts using the state model, student growth will constitute 50 percent of an educator’s evaluation. Other factors include: observations of teaching by a trained observer and a teacher’s attendance, planning, instructional methods, classroom management, and subject matter competency.	
Do evaluations differentiate between multiple levels of educator performance?	Yes. PERA specifies four levels of teacher performance: excellent, proficient, needs improvement, and unsatisfactory.	
Are parents and the public provided clear information about teacher effectiveness?	PERA requires the state to establish a system to collect and publicly report performance evaluation data by district and school. SB 315 prohibits public disclosure of individual teacher evaluations, including to parents.	
Are educator preparation programs accountable for graduates’ effectiveness?	The law does not address.	
Is tenure linked to effectiveness?	Yes. To receive tenure, teachers must complete three years of teaching with “excellent” evaluations, or four years of teaching with “proficient” evaluations in at least the 4 th and either the 2 nd or 3 rd year. The law allows for dismissal of tenured teachers who are rated ineffective, rather than revocation of tenure.	

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Does state provide clear authority to dismiss ineffective teachers and a reasonable process for doing so?	<p>The law allows for dismissal of teachers who receive an “unsatisfactory” evaluation and fail to improve after a remediation plan, as well as those who receive two “unsatisfactory” evaluations within seven school terms. The law does not provide a process for dismissal of teachers persistently rated “needs improvement.” The law creates a streamlined process for dismissals based on a PERA evaluation. Teachers may request a hearing before a hearing officer, the scope of which is limited to 1) whether the unsatisfactory rating was in accordance with the district’s evaluation plan, 2) whether the remediation plan complied with requirements, 3) whether the teacher failed to complete the remediation plan with performance equal to or better than proficient. The teacher may only challenge aspects of the rating, remediation plan, and final evaluation if s/he can demonstrate how they materially affect the teacher’s ability to demonstrate a proficient level of performance. The hearing officer issues findings of fact and the Board of Education has the final vote on teacher dismissal. Teacher dismissal requires a majority vote of the board of education. Teachers may apply for judicial review to the relevant court. If the Board’s decision is aligned with the recommendations of the hearing officer, the court may only overturn that decision if it is found to be “arbitrary and capricious” or not in accordance with law.</p>	
Is effectiveness, rather than seniority, the primary consideration in reductions in force?	<p>Yes. Teachers are placed in four groups based on their evaluations. All teachers in lower-rated groups must be dismissed before those in the higher-performing groups. Within the lowest performing group (teachers rated “unsatisfactory” or “needs improvement”, teachers are dismissed in order by their evaluations. Teachers in the “proficient” and “excellent” groups are dismissed in order by seniority (but all “proficient” teachers are dismissed before any “excellent” teachers). Teachers in the “proficient” and “excellent” categories are re-called for open positions in reverse order of the order in which they were laid off (outside Chicago only).</p>	
In cases of teacher excessing, is there a process for teachers to secure new positions through mutual consent, and for those who cannot do so to eventually be discharged from employment?	<p>The policies that require district-wide reductions in force to be based on performance, rather than seniority, also apply to elimination of positions at the building level or due to programmatic changes. Law does not provide a process for dismissal of teachers who fail to obtain new positions through mutual consent. Districts may choose to include such provisions in their collective bargaining agreements, and some Illinois district collective bargaining agreements do include provisions for the discharge from employment of excessed teachers who fail to secure new positions through mutual consent in a reasonable timeframe.</p>	

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Do principals have authority to decide who teaches in their schools?	Yes. The law allows for teacher assignment/hiring only through mutual consent, with a narrow exception for “proficient” and “excellent” teachers outside of Chicago who are laid off due to reductions in force.	
Does the law protect students from being consecutively assigned to ineffective teachers?	No.	
Are effective teachers rewarded with increased compensation?	Illinois law permits teacher pay for performance but does not mandate or incentivize it.	