

Unsatisfactory Evaluations

AN APPEALS PROCESS IN ACCORDANCE WITH PUBLIC ACT 101-0591

The Law:

105 ILCS 5/24A-5.5

Beginning with the first school year following the effective date of this amendatory Act of the 101st General Assembly, each school district shall, in good faith cooperation with its teachers, or, if applicable, through good faith bargaining with the exclusive bargaining representative of its teachers, develop and implement an appeals process for "Unsatisfactory" ratings under Section 24A-5 that includes, but is not limited to, an assessment of the original rating by a panel of qualified evaluators agreed to by the joint committee referred to in subsection (b) of Section 24A-4 that has the power to revoke the "unsatisfactory" rating it deems to be erroneous. The joint committee shall determine the criteria for successful appeals; however, the issuance of a rating to replace an "unsatisfactory" must be determined through bargaining between the exclusive bargaining representative, if any, and the school district.

An appeal process is hereby established for teachers for the purpose of appealing an “unsatisfactory” rating received under Section 24A-5 of the Illinois School Code (105 ILCS 5/24A-5) by a qualified evaluator. This process is established pursuant to and in accordance with Section 24A-5.5 of the Illinois School Code (105 ILCS 5/24A-5.5).

An appeal filed in accordance with the procedures established herein shall be reviewed by a panel of two qualified evaluators whom did not conduct the original evaluation of the teacher filing the appeal.

The panelists will be chosen from the pool of Board approved evaluators in Pekin Public Schools District #108 by consensus of the Superintendent or Designee and the Association Presidents. A teacher desiring to appeal an “unsatisfactory” rating shall file a notice of appeal with the Superintendent within ten (10) calendar days after receipt of the “unsatisfactory” rating and may include a written rebuttal to accompany the notice of appeal.

Upon receipt of a notice of appeal, the panel shall determine whether the “unsatisfactory” rating was erroneous based upon a review of the written record of said rating, including, but not limited to, (1) any information and documents provided by the teacher in his or her rebuttal that accompanied the notice of appeal, and (2) the original evaluator’s written observations, comments and feedback. The panel may schedule interviews with the evaluator and/or the appealing teacher as necessary.

After a review of the written record of the “unsatisfactory” rating, and any interview of the teacher or evaluator, the panel shall overturn the “unsatisfactory” rating if the following criteria are met:

The notice of appeal was filed with the Superintendent within ten (10) calendar days after receipt of the “unsatisfactory rating”; and

The panel unanimously determines the “unsatisfactory” rating was erroneous.

In such event, the panel shall determine the new evaluation rating which shall then be shared with the exclusive bargaining representative of the teachers. If the 2 panelists are unable to reach a unanimous decision in regards to the new rating, the rating will default to Proficient.