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IMMEDIATE ATTENTION REQUIRED: NEW RECALL RIGHTS EFFECTIVE FOR 2013-14 RIFS

Effective July 1, 2014, limited recall rights have been extended by P.A. 98-0648 to certain teachers receiving a “needs improvement” performance rating. Prior to this Act, Senate Bill 7 had deprived all teachers in Grouping 2 of the sequence of honorable dismissal list of any recall rights in the event of a reduction in force (“RIF”). Teachers in Grouping 2 are those receiving a “needs improvement” or “unsatisfactory” rating on either of the teacher’s last two performance evaluations.

Those teachers in Grouping 2 who are RIF’d and who received one “needs improvement” rating on either of the teacher’s last 2 performance evaluations and a “satisfactory”, “proficient”, or “excellent” on the other performance evaluation, if two ratings are available, must be offered any position for which the teacher is qualified which becomes vacant

within the period commencing with the beginning of the following school term through February 1 of the following school term (unless a date later than February 1 but not later than six months from the beginning of the school term is established by a collective bargaining agreement).

This expressly applies to eligible teachers in Grouping 2 who were RIF'd during the 2013-14 school year. Thus, any teacher who was in Grouping 2 as a result of one "needs improvement" rating and a second "satisfactory", "proficient" or "excellent", and who was RIF'd in the Spring of 2014, is entitled to recall to any position for which s/he is qualified which becomes vacant between the start of the 2014-15 school term through February 1, 2015. This requires your immediate attention. Note that those Grouping 2 teachers who have been RIF'd but who did not receive any better than a "needs improvement" rating on both of their last two performance evaluations are still not eligible for any recall rights.

Additional revisions made by P.A. 98-0648 will be discussed in a future Priority Briefing.

Should you have any questions, please contact one

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of our attorneys at our Flossmoor Office at 708-799-6766.