

**PETRARCA, GLEASON,
BOYLE & IZZO, LLC**
ATTORNEYS AT LAW

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

**PETRARCA, GLEASON,
BOYLE & IZZO, LLC**
ATTORNEYS AT LAW

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

Published July 18, 2014

**PETRARCA, GLEASON,
BOYLE & IZZO, LLC**
ATTORNEYS AT LAW

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