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Senate Bill 7 is a bipartisan legislative package, supported by the Governor that has been thoughtfully negotiated by legislators, the State Board of Education, education reform groups, teachers' unions and school management.

A substantial body of research shows that teacher effectiveness is the number one in-school factor determining student learning. One of the most critical laws passed in the last legislative session will require principals' and teachers' evaluations to include student growth as a significant factor (the Performance Evaluation Reform Act (PERA); Public Act 96-0861). SB 7 makes a few changes to PERA, such as allowing school districts and their unions to agree to accelerate their respective PERA implementation date to as early as the beginning of the 2013-2014 school year. Most notably, though, SB 7 takes the next logical step by incorporating performance into personnel decisions so as to best ensure the most effective teachers are and remain in Illinois classrooms. SB 7 also adds transparency to the contract negotiation process. SB 7 will:

- **Make Performance a Primary Criterion in Layoffs, Recall and Teaching Assignments**

Layoffs: When a district needs to lay off teachers due to economic reasons, the order of lay off will no longer be determined strictly by seniority. Effective for RIFs where the notice of dismissal is sent in the 2011-2012 or subsequent school years, the district will now look at multiple factors: first qualifications and certifications will be determined, then performance evaluations will be used, and then seniority (unless a current collective bargaining contract has a conflicting provision on layoffs, in which case that provision would govern until the contract expires or June 30, 2013, whichever is earlier).

Hiring: When a district has an open position to fill, a variety of criteria, including merit and ability and relevant experience, will be used to determine the best person for the job. District-wide seniority can only be used as a tie-breaker when all other factors are considered equal.

- **Tie Tenure and Certification to Performance**

Granting of Tenure: SB 7 deliberately does not abolish the longstanding concept of tenure; instead, SB 7 ensures that, post-PERA implementation, performance evaluations dictate tenure decisions by requiring 2 "Proficient" or "Excellent" performance evaluation ratings during the last 3 years of the 4-year probationary period (with a "Proficient" or "Excellent" in the last year). SB 7 also rewards performance with:

--Accelerated Tenure: New teachers who earn 3 "Excellent" performance evaluations in their first 3 years are eligible for tenure at the 3-year mark;

--Tenure Portability: Tenured teachers with a track record of "Proficient" or "Excellent" ratings are eligible for tenure in 2 years if they move to a new district and earn "Excellent" ratings in each of the first two years in that new district.

Certificate Action: The State Superintendent may initiate action to revoke or suspend an educator's certificate for "incompetency" (or to require professional development) if the educator receives 2 "Unsatisfactory" ratings in a 7-year period.

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- **Transparency in Collective Bargaining Negotiations**

--If, after a reasonable period of mediation, contract negotiations in any district outside Chicago reach an impasse, SB 7 requires the publication of the parties' last best offers—a move that lets the public understand what the unresolved issues are and the positions taken by each side. This transparency should help encourage good-faith discussions and the settlement of as many issues as possible prior to publication.

--In Chicago, SB 7 lets either party opt into a 90 day fact-finding process at the end of a reasonable period of mediation. If issues remain unresolved, the disputes and fact-finding conclusions will be made public during a 30-day window. If impasse persists, the Chicago Teachers Union (CTU) can strike, but may do so only with at least 75% of all bargaining unit members of the CTU affirmatively voting to authorize the strike.

--Further, SB 7 explicitly includes the length of school day and year to the list of “permissive” subjects of bargaining. Permissive subjects are those that CPS can elect, but is not required to, negotiate. The district is required to bargain the impact of relevant decisions upon request, such as additional compensation for working longer hours.

- **Streamlined Process for the Dismissal of Tenured Teachers**

The hearing process for the dismissal of tenured teachers for either performance or conduct reasons has been long criticized as inefficient and expensive. SB 7 streamlines the process by, among other things, significantly tightening timelines. Further, effective immediately, SB 7:

--Provides that school boards (instead of independent hearing officers) in all districts have final decision-making authority in dismissals for conduct-reasons;

--Provides that school boards (instead of independent hearing officers) in all districts have the option of having final decision-making authority in dismissals for performance-reasons as long as: (a) school board members receive training to better understand evaluation systems and processes; and (b) the district provides a second qualified evaluator as part of the teacher's remediation.

- **Collect Surveys of Learning Conditions & Enhance Public Information**

Teachers and students would complete comprehensive surveys on the instructional climate in the school building, which helps districts and community members to determine best practices.

NOTE: Though not in SB 7, a work group, led by the P-20 Council, is examining ways to make the School Report Card more user-friendly and incorporate data from the survey that would be most relevant to parents and community members.

- **Training for Elected School Board Members**

SB7 requires school board members elected after the effective date to engage in training on issues such as education and labor law, financial oversight/accountability and fiduciary responsibilities during the first year of their term.