



ILLINOIS SENATE BILL 7 - FACT SHEET

SB 7 is a legislative package that has been thoughtfully negotiated by 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—more powerful than class size, school facilities, curriculum, or other factors.

One of the most critical laws passed in the last legislative session will require teachers' evaluations to be based largely on how well their students are doing academically (see Public Act 96-0861). SB 7 takes the next logical step to honor and respect effective teachers by incorporating performance in personnel decisions to keep the best teachers in the classroom. The initiative also includes critical steps to protect precious learning time by adding transparency and balance to the contract negotiation process, reforms that are considered imperative to enabling lengthening of the school day and school year. SB 7 will:

- **MAKE PERFORMANCE A PRIMARY CRITERIA IN LAYOFFS, RECALL, AND TEACHING ASSIGNMENTS**

Layoff: SB 7 ends layoff policies based on the “last in-first out.” Instead, teachers will be laid off based on performance and job qualifications first, with seniority playing a “tie breaker role.”

Hiring: When new positions open, neither the principal nor teacher should be forced into a situation that does not best fit the teacher's skills and abilities. Management has the unfettered right to hire teachers who best fit the needs of the schools, and when they consider in-district transfers, performance and qualification again will drive decisions.

- **TIE TENURE AND CERTIFICATION TO PERFORMANCE**

Unlike other professions, education career decisions are most often made with little consideration of job performance. Now that teacher evaluations are on track to be more substantive, we must make those evaluations count towards these decisions.

Granting of Tenure: SB7 requires two proficient or excellent performance evaluation ratings during the last three years of the four-year probationary period for attainment of tenure.

- **Accelerated Tenure:** New teachers who earn three excellent performance reviews in their first three years will earn tenure at the three-year mark.
- **Tenure portability:** Tenured teachers with a track record of proficient and excellent ratings may earn tenure in two years if they move to a new district and earn two excellent performance ratings in each of their first two years.

Revocation of Certificates: Certificates of teachers with two unsatisfactory ratings in a seven-year period may be reviewed by the State Superintendent for revocation or professional development opportunities to help the teacher improve.

- **PUT STUDENT WELL-BEING AT THE CENTER OF CONTRACT NEGOTIATIONS**

Illinois has an exceptionally short school day and school year, particularly in larger districts where an imbalanced contract negotiation process has stifled reforms (like a longer school day) from being enacted. A CPS graduate will have more than 3 years less instructional time than a Houston Public Schools graduate. New York’s school day is more than an hour longer than CPS’s.

Provide more transparency to negotiations across the state: Where contract negotiations in any district outside of Chicago hit an impasse, SB7 requires that any unsuccessful mediation be followed with 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 let the public’s views play a role in dispute resolution.

Provide more safeguards before strike can occur in Chicago: At the end of unsuccessful mediation, SB7 lets either party opt into a 90-day fact-finding process. An independent fact-finding panel (chosen by the parties) would evaluate the unresolved issues and render an impartial finding of fact privately to the parties. If they do not still resolve the issues, the disputes and fact-finding conclusions will be made public during a 30-day window. If impasse persists, the Chicago Teachers Union can vote to strike, and may do so only with a 75% vote of the entire membership.

Gives Chicago Public Schools more control over the school day and year: SB7 adds the length of the school day and year to the list of subjects which are “permissive” subjects of bargaining. Permissive subjects are those that CPS can elect to negotiate, but regardless of agreement, CPS can add time to the day or year. Having said that, CPS would have to bargain the “impact” of any decision – including how to pay for it.

- **STREAMLINE THE DISMISSAL PROCESS FOR TENURED TEACHERS**

Performance Counts proposes a reformed process that enables school districts to shift resources from a costly and cumbersome dismissal hearing to the classroom. The proposal provides more efficient timelines for all dismissals and structural reforms for districts that include a second evaluator in the remediation process. Specifically, SB7 does the following:

- Tightens timelines through the existing dismissal process
- Given school boards (instead of independent hearing officers) final decision-making authority in dismissals, with following the conditions:
 - In performance-related dismissals, the district must involve a second evaluator in the remediation and post-evaluation process
 - In conduct-related dismissals, the hearing officer’s findings of fact (i.e., what conduct in fact occurred) will be binding, but the school board retains authority over whether the conduct merits dismissal.
- Changes nature and scope of judicial review for most dismissals (except where hearing officer and school board disagree) – sending appeals directly to circuit court of appeals with an “arbitrary and capricious” standard of review

- **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: Thought not in SB7, 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. That work will wrap up late this summer, with expected revisions to go to the General Assembly in the fall session.

- **ENSURE STRONG SCHOOL BOARD OVERSIGHT**

SB7 requires all school board members to have at least four hours of training provided by a range of providers approved by the Illinois State Board of Education in consultation with the Illinois Association of School Boards.