



During 2010 and 2011 the Illinois General Assembly passed the following three new laws concerning labor and employment in public education:

1. The Performance Evaluation Reform Act (PERA), became law 01/15/2010
2. Senate Bill 7 became law 06/13/2011
3. House Bill 1197, an addition to Senate Bill 7, became law 06/13/2011

PERA – will drastically alter the way in which school districts implement teacher evaluations. It contains many components that must be completed within the evaluation plan as well as the requirement that student growth will be a significant factor in rating teachers’ performance. HF will be completing this process over the next several years.

SENATE BILL 7 – is a bill that encompasses many different components - from teacher tenure to school board training. Information regarding each component is provided in varying degrees as related to implementation date. Teacher dismissal through the RIF process is a component that is required to be implemented during the 2012-2013 school year and is explained in greater detail later in this summary.

The term “post-PERA” or “PERA implementation date” refers to the academic school years in which a district has implemented the new teacher evaluation model.

The default evaluation model developed under Section 24A-7 of the school code incorporates the use of student data but also utilizes Charlotte Danielson’s Improvement of Instruction model. This model was also utilized by ISBE as a means to provide teacher evaluation training for all evaluators in Illinois. HF has not yet chosen a model, but will be working on this process in the near future.

Please note that many items listed in Senate Bill 7 have a post-PERA or PERA implementation date qualification for implementation.

PERA KEY DATES	
Sept. 1, 2012	Any evaluator undertaking a teacher evaluation after this date must first successfully complete the ISBE pre-qualification and training program in order to be designated a “qualified evaluator”.
Sept. 1, 2012	New standards for principal/assistant principal evaluation plans begin.
Sept. 1, 2012	Summative ratings must include: Excellent, Proficient, Needs Improvement and Unsatisfactory
No later than Sept. 1, 2016	<ul style="list-style-type: none"> • Teacher evaluation system must include consideration of student growth as a significant factor in the summative performance rating of a teacher. • Work cooperatively within a joint committee to determine how we will incorporate the use of data and indicators of student growth as a significant factor in rating teacher performance in evaluation plans. If the committee does not reach an agreement, the school district must implement the model evaluation plan developed under Section 24A-7 of the school code.

PERA & SENATE BILL 7 SUMMARY

PERA AND SUMMATIVE EVALUATION RATINGS

Effective at the beginning the 2012-2013 school year, the summative rating categories and definitions that will be used at the conclusion of our evaluation process will include: Excellent, Proficient, Needs Improvement and Unsatisfactory. In the coming months, a joint committee will be formed to begin the process of creating an evaluation tool that meets the requirements of the new PERA law. This new evaluation tool will be implemented no later than 09/01/16. Until that time, we will continue to use our negotiated evaluation model. Additional information related to the evaluation process, including the new ratings can be found in the current collective bargaining agreement.

SUMMATIVE EVALUATION RATINGS			
RATINGS	NEW DEFINITION	OLD DEFINITION	NOTES:
Excellent	Excellent designation shall mean the evaluation process reveals performance of an exceptional quality. The teacher contributes significantly in each of the performance criteria in each evaluation category. The teacher, as a result of self-direction, consistently impacts very positively upon students, parents, colleagues and the Homewood-Flossmoor Community High School setting.	Excellent designation shall mean the evaluation process reveals performance of an exceptional quality. The teacher contributes significantly in each of the performance criteria in each evaluation category. The teacher, as a result of self-direction, consistently impacts very positively upon students, parents, colleagues and the Homewood-Flossmoor Community High School setting.	*there were no changes to this category.
Proficient	Proficient designation shall mean the evaluation process reveals performance of an acceptable quality. The teacher consistently meets the performance criteria in the evaluation categories. The teacher proficiently performs assigned responsibilities and consistently impacts positively upon students, parents, colleagues and the Homewood-Flossmoor Community High School setting.	Satisfactory designation shall mean the evaluation process reveals performance of an acceptable quality. The teacher dependably meets the performance criteria in most evaluation categories. The teacher satisfactorily performs assigned responsibilities and usually impacts positively upon students, parents, colleagues and the Homewood-Flossmoor Community High School setting.	*differences are highlighted
Needs Improvement	Needs Improvement designation shall mean the evaluation process reveals performance of an unacceptable quality. The teacher does not consistently meet the performance criteria in the evaluation categories or has a severe deficiency in at least one category. The teacher does not proficiently perform assigned responsibilities and often times does not positively impact students, parents, colleagues and the Homewood-Flossmoor Community High School setting.	XXXXX New Category	*A tenured teacher who receives this rating will be required to participate in a professional development plan that must begin within 30 days after the rating is received. *Non-tenured teachers are NOT required to complete a professional development plan.
Unsatisfactory	Unsatisfactory designation shall mean that the degree of non-conformance to Section 8.2 of the Agreement, or the gravity of violation to policy, public law, procedure or regulation is so severe that lack of remediation will result in further sanctions or dismissal.	Unsatisfactory designation shall mean that the degree of non-conformance to Section 8.2 of the Agreement, or the gravity of violation to policy, public law, procedure or regulation is so severe that lack of remediation will result in further sanctions or dismissal.	*no changes were made to this category. *A tenured teacher who receives this rating will begin a formal remediation plan within 30 school days.

NEEDS IMPROVEMENT AND PROFESSIONAL DEVELOPMENT PLAN DETAILS

- Within 30 days a plan must be developed for the teacher
- Directed to the areas that need improvement
- Plan will include any supports the district will provide
- Developed by the evaluator in consultation with the teacher
- Plan must take into account teacher's on-going professional responsibilities

UNSATISFACTORY AND REMEDIATION PLAN DETAILS

- Within 30 days a remediation plan must be created
- Plan will address any deficiencies that are deemed remediable
- Plan must be for 90 school days of remediation within the classroom
- Provide for appointment by administrator of a consulting teacher who has at least 5 yrs of experience, is reasonably familiar with the assignment of the teacher and who received an "excellent rating" on the most recent evaluation.
- Teacher must be evaluated at the mid-point of the remediation period and within 10 days of the completion of the plan
- The final evaluation must include an overview and final rating (this rating does not count towards the RIF process as it is not a final summative rating)
- A teacher who completes a remediation plan with an evaluation of satisfactory or proficient or better must be reinstated to the normal evaluation schedule for tenured teachers
- A teacher who completes a remediation plan with an evaluation of unsatisfactory must be dismissed by the Board of Education

***After PERA implementation date – if a tenured teacher successfully completes a remediation plan but then receives an "unsatisfactory" on any evaluation during the next 36-month period, then the school district can forego remediation and seek dismissal immediately

PERA & SENATE BILL 7 SUMMARY

SENATE BILL 7 COMPONENT SUMMARY	
School Climate Survey	<ul style="list-style-type: none"> To be completed every other year by students and teachers and eventually parents Portions will be reported on School Report Card
School Board Training	<ul style="list-style-type: none"> For all members elected after Spring 2011 Topics include, education, labor law, financial oversight and fiduciary responsibility
Filling New/ Vacant Jobs	<ul style="list-style-type: none"> Basis for selection shall be: certification, qualifications, merit/ability, experience, seniority is only a tiebreaker, other factors can be bargained Selection cannot be grieved, but CBA procedures can be grieved
Tenure Attainment	<ul style="list-style-type: none"> What qualifies as a year is now defined – 120 days Post-PERA tenure attainment – 3 Routes to tenure – detailed in following sections
Certification Action or Incompetency	<ul style="list-style-type: none"> 2 unsatisfactory summative evaluations in 7 years More information to come...
Tenured Teacher Dismissal	<ul style="list-style-type: none"> Post-PERA - process has been streamlined
IELRA Impasse Procedures	<ul style="list-style-type: none"> 90/45/15 day IELRB notices still required 90 before school year – may request mediation 45 days before SY IELRB invokes mediation if there is no agreement and parties have not otherwise requested mediation
RIF	<ul style="list-style-type: none"> Procedures effective for 2012/2013 school year Detailed in following sections

A school district may conduct a RIF for many reasons, including but not limited to:

- Overall student enrollment projections require fewer FTE's
- Due to student course selection, fewer FTE's are required in some departments
- Due to budgetary/planning constraints, a district may reduce FTE's

REDUCTIONS IN FORCE (RIF)
<p>When a district needs to conduct a RIF, the order of layoff will no longer be determined strictly by seniority. Tenure status has virtually no impact on the RIF sequence. The school district must now comply with the following procedures and requirements:</p> <ul style="list-style-type: none"> • Each teacher must be categorized into one or more positions for which the teacher is qualified to hold based upon legal qualifications and any other qualifications that were established by the district on or before May 10 prior to the school year the RIF occurs. • Teachers will be sorted into four performance groups based on their last two, and in some cases three, summative ratings. • Within each grouping, teachers will be ordered based on their length of continuous service to the district and/or the average performance evaluation rating; a tie shall be broken first by Board hire date and then by lot if a tie remains. • Teachers are dismissed in order of their groupings, with teachers in grouping one dismissed first and those in grouping four dismissed last.

PERA & SENATE BILL 7 SUMMARY

GROUP DEFINITIONS AS AGREED UPON BY THE HF JOINT COMMITTEE	
Group One	Shall consist of each teacher not in contractual continued service who has not received a performance evaluation.
Group Two	Shall consist of each teacher with a Needs Improvement or Unsatisfactory performance evaluation rating on either of the teacher's last two performance evaluation ratings.
Group Three	Shall consist of each teacher with a performance evaluation rating of at least Satisfactory or Proficient on both of the teacher's last 2 performance evaluations rating, if only one rating is available, or on the teacher's last performance evaluation rating, if only one rating is available, unless the teacher qualifies for placement in to grouping 4.
Group Four	Shall consist of each teacher whose last 2 performance evaluation ratings are Excellent and each teacher with 2 Excellent performance evaluation ratings out of the teacher's last 3 performance evaluation ratings with a third rating of Satisfactory or Proficient.

ORDER OF TERMINATION AS AGREED UPON BY THE HF JOINT COMMITTEE	
<ul style="list-style-type: none"> • Teachers in Group One shall be dismissed first, the sequence at the discretion of the Board; • Teachers in Group Two shall next be reduced, the sequence of dismissal to be based upon average performance evaluation ratings (excellent=4, Proficient=3, Needs Improvement=2, Unsatisfactory=1); • Teachers in Group Three shall next be reduced, the sequence of dismissal to be based upon the length of continuing service with the District; • Teachers in Group Four shall be the last to be reduced, the sequence of dismissal to be based upon the length of continuous service with the District. 	

IMPORTANT RIF TIMELINES	
School Year of the RIF	
Fall/Winter	Categorize and group teachers
Fall/Winter	Joint Committee meets to address statutory, authorized topics and changes to previous agreements by Joint Committee
Feb. 1	Joint Committee must reach agreement or default to requirements in statute or previous agreements by Joint Committee
Feb. 1-75 days before end of the school year	Finalize categorizing and grouping o teachers and establish sequence of honorable dismissals
75 days before end of school term	Give sequence of honorable dismissal list to teachers union
75-45 days before end of school term	Notify union of any changes made to honorable dismissal list (teachers in group one who receive a rating and are moved to new group)
Prior to 45 days before end of school term	Board action to approve and serve notices of honorable dismissal
45 days before the end of the school term	RIF notices must be received by teachers
May 10	Establish job descriptions with any additional qualifications for next year's RIF and recalls from this year's RIF

OTHER RIF INFORMATION

Within one calendar year from the start of the school term following a RIF, those teachers in groupings three and four who are dismissed through the RIF process are eligible for recall and must be recalled in reverse order of dismissal. ISBE certification and endorsement requirements must be met as well as any district qualifications established in the district job description on or before May 10 before the recall positions become available.

Teachers that are dismissed from their position are inserted into the position groupings for any full-time position in another department they are qualified to hold. "Bumping" rights still exist within the requirements/qualifications of the new procedures.

Individuals who are dismissed from groupings one and two do not have recall rights.

TEACHER TENURE CHANGES

Current HF Teachers effective June 13, 2011

A teacher attains tenure after being hired on a full-time basis for four consecutive school terms. A "school term" refers to when school is in session and the teacher must actually teach or be otherwise present and participating in a school district's educational program for 120 days or more. FMLA leave is considered days of teaching or participation....

On and after the PERA implementation date (no later than September 1st, 2016)

A teacher hired on or after the PERA implementation date can attain tenure in one of three ways:

1. "Standard Probationary Period" - by completing four school terms with overall annual evaluation ratings of at least "proficient" in the last term and either the second or third school terms of the four-year probationary period;
2. "Accelerated Tenure" by receiving "excellent" ratings during the first 3 school terms of teaching; or
3. "Tenure Portability" - by completing all of the following:
 - Obtaining tenure in another school district
 - Obtaining at least "proficient" ratings, after the PERA implementation date in the other school district, on the most recent two evaluations;
 - Voluntarily departing or being honorable dismissed from the other school district in the school term immediately preceding the current school term; and
 - Receiving "excellent" ratings during the first two school terms of teaching in a new school district.

Summary

If at the conclusion of four consecutive school terms of service that count toward attainment of contractual continued service, a teacher's performance does not qualify the teacher for contractual continued service, then the teacher must be dismissed.