

**APPROVE A RESTATED POLICY ON THE LAYOFF OF TEACHERS FOR REASONS
OTHER THAN THOSE WITHIN THE SCOPE OF BOARD POLICY 504.2**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board restate as a policy the principles embodied in Board Resolutions 10-0615-RS1 and 10-0623-RS32 and also the layoff procedures implemented during the 2010-2011 school year for honorably dismissed tenured teachers, which policy shall be known as the Policy on the Layoff of Teachers For Reasons Other Than Those Within the Scope of Board Policy 504.2.

PURPOSE: The purpose of this policy is to restate the provisions of Board Resolutions 10-0615-RS1 and 10-0623-RS32 and also the layoff procedures implemented during the 2010-2011 school year for honorably dismissed tenured teachers in the form of a policy to address layoffs of teachers for reasons that are not addressed in Board Policy 504.2.

POLICY TEXT:

I. SCOPE

Board Policy 504.2 covers teacher layoffs due to the following four reasons: (1) an attendance center or program closure, (2) a drop in enrollment at an attendance center, (3) a change in the educational focus of an attendance center, or (4) remedial actions taken pursuant to Sections 34-8.3(d) and 34-8.4 of the Illinois School Code at the attendance center. Whenever the Chief Executive Officer or designee decides to implement a layoff for reasons other than the four reasons covered under Board Policy 504.2, teachers will be laid off in accordance with this policy. This policy does not create any property or contractual right or any substantive entitlement to continued employment for any teacher nor grant any right to any teacher to receive preferential consideration for an appointment to a vacant position.

II. SELECTION OF TEACHERS FOR LAYOFF

The Chief Executive Officer or designee shall determine the number and type of positions to be eliminated under this policy within each unit. For the sole purpose of this policy, the term "unit" includes, but is not limited to, a student attendance center (e.g. a school) or a non-school budgetary or operational unit (e.g. an Area Office, a city-wide program, or a Central Office department). Within each unit and type of position, teachers shall be selected for layoff and honorable dismissal in the following sequential order:

- A. ***Teachers Without Appropriate Certification Or Credentials or With Lapsed Certification Or Credentials.*** The Chief Executive Officer or designee shall first layoff any teachers who do not possess a current, valid teaching certification, endorsement or other credential required for his or her position.¹
- B. ***Teachers Rated Unsatisfactory.*** If after any teachers without appropriate certification, endorsement or credentials have been laid off, additional teachers are to be laid off at the unit, the Chief Executive Officer or designee shall next layoff appointed or assigned teachers within the affected certification or type of position whose last performance rating was "unsatisfactory," "does not meet expectations" or an equivalent rating indicating deficient performance or who is under remediation pursuant to Section 24A-5 of the Illinois School Code (105 ILCS 5/24A-5) or Article 39 of the Board's Collective Bargaining Agreement with the Chicago Teacher's Union, regardless of whether the teacher is probationary or tenured. In the event that there are more teachers rated unsatisfactory in the affected certification or type of position than teachers to be laid off, the Chief Executive Officer or designee shall first layoff probationary teachers rated unsatisfactory by reverse seniority order and then tenured teachers rated unsatisfactory by reverse seniority order.

¹ The Board of Education may not employ or pay teachers who do not have the certifications required by the Illinois State Board of Education. 105 ILCS 5/21-1.

- C. **Retired Teachers.** If after any teachers with unsatisfactory ratings have been laid off, additional teachers are to be laid off at the unit, the Chief Executive Officer or designee shall next layoff retired teachers within the affected certification or type of position at the unit. In the event that there are more retired teachers in the affected certification or type of position than teachers to be laid off at the unit, the Chief Executive Officer or designee shall layoff retired teachers by reverse seniority order.
- D. **Temporarily Assigned Teachers.** If after any retired teachers have been laid off, additional teachers are to be laid off at the unit, the Chief Executive Officer or designee shall next layoff temporarily assigned teachers ("TATs") within the affected certification or type of position at the unit. In the event that there are more temporarily assigned teachers in the affected certification or type of position than teachers to be laid off at the unit, the Chief Executive Officer or designee shall layoff TATs by reverse seniority order.
- E. **Probationary Appointed Teachers.** If after any TATs have been laid off, additional teachers are to be laid off at the unit, the Chief Executive Officer or designee shall next layoff probationary appointed teachers ("PATs") within the affected certification or type of position at the unit. In the event that there are more PATs in the affected certification or type of position than teachers to be laid off at the unit, the Chief Executive Officer or designee shall layoff PATs by reverse seniority order.
- F. **Appointed Tenured Teachers.** If after any PATs have been laid off, additional teachers are to be laid off at the unit, the Chief Executive Officer or designee shall next layoff appointed tenured teachers within the affected certification or type of position at the unit. In the event that there are more tenured teachers in the affected certification or type of position than teachers to be laid off at the unit, the Chief Executive Officer or designee shall layoff tenured teachers by reverse seniority order.

III. NOTICE OF LAYOFF

The Chief Executive Officer or his or her designee shall provide teachers who are laid off pursuant to this policy with advance written notice of the layoff. The notice shall explain that the teacher's layoff constitutes an honorable dismissal for all wage and benefit purposes, unless the teacher elects to resign or retire before the effective date of the layoff or becomes a day-to-day substitute teacher immediately following the effective date of the layoff as permitted by Section IV of this policy. The notice shall inform the teacher that he or she has the right to resign or retire in order to receive a payout of any existing sick benefit days if the teacher is otherwise eligible for that benefit, and the teacher must be provided with an opportunity to exercise this right before the effective date of the layoff. The notice shall also include a description of the benefits provided specifically to laid off teachers.

IV. EMPLOYMENT OPPORTUNITIES FOR LAID OFF TENURED TEACHERS

- A. **Employment as Day to Day Substitute Teachers.** A laid off tenured teacher shall have the opportunity to avoid honorable termination and continue his or her employment with the Board as a day-to-day substitute teacher immediately following the effective date of his or her layoff, provided that the laid off tenured teacher has been rated "satisfactory," its equivalent or better in his or her last evaluation by the Board. To become a day-to-day substitute teacher, a laid off tenured teacher shall not be required to submit to any selection process for the position, but shall comply with the administrative or legal hiring requirements applicable to all candidates for such positions (e.g., the completion of an application, a background investigation, drug testing). Laid off tenured teachers who continue their employment with the Board as day-to-day substitute teachers shall be subject to the same terms and conditions of employment as all other day-to-day substitute teachers.
- B. **Career Events for Laid Off Tenured Teachers.** The Chief Executive Officer or designee shall conduct career events exclusively for laid off tenured teachers during which such teachers shall have the opportunity to demonstrate their qualifications to administrators whose units are seeking to fill vacant full-time teacher positions. During each event, laid off tenured teachers shall have the opportunity to submit their resumes and otherwise describe their qualifications and abilities orally or in writing to the attending administrators.

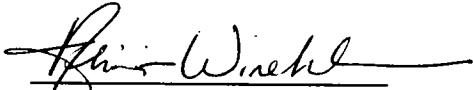
V. SUPPORTS FOR ALL LAID OFF TEACHERS

The Chief Executive Officer or designee shall provide laid off teachers with supports and information to assist them in ensuring that they receive all benefits to which they are entitled as laid off employees, and in identifying opportunities for and applying for reappointment to other positions. The types of supports that the Chief Executive Officer or designee may provide are described below. Nothing in this in policy shall limit the types of supports and opportunities provided to teachers or how the Chief Executive Officer or designee provides them.


- A. **Notices and Information on How to Apply for Vacant Positions.** Laid off teachers shall be eligible to apply for vacant positions within the Chicago public school system for which they have the required certifications, endorsements and other credentials or qualifications. The Board shall provide laid off teachers with information on how to identify and apply for vacant positions within the system.
- B. **Recruiting Assistance.** The Chief Executive Officer or his or her designee may conduct workshops on resume writing, interviewing skills and related subjects for laid off teachers.
- C. **Online Hiring Profile for Laid Off Teachers.** The Chief Executive Officer or his or her designee may provide laid off teachers the opportunity to complete an online hiring profile so that principals and other hiring managers are able to learn about the laid off teacher's professional credentials, including his or her experience with specific curriculum, classroom models, grade levels, school climates, student populations and other qualifications.
- D. **Reappointment/Restoration of Status.** Principals and other unit administrators shall continue to select candidates to fill vacant positions in accordance with the hiring requirements established by Board policies and procedures and based on merit and ability to perform in that position and not based on seniority or length of service consistent with Sections 34-8.1 and 34-84 of the School Code. A laid off tenured teacher who is reappointed to a vacant position within two years of his or her honorable dismissal shall have his or her tenured status and seniority restored consistent with the provisions of the Illinois School Code and Board Rules. A laid off probationary appointed teacher who is reappointed within one calendar to a vacant teacher position shall have his or her probationary period resume at the same point at which it was at the time of layoff. Laid off tenured teachers and probationary appointed teachers who are reappointed shall be paid in accordance with Board policies, rules and collective bargaining agreements.
- E. **Extension of Benefits.** The Chief Executive Officer or designee may provide for benefit extensions, contingent on available funding, for laid off teacher.

LEGAL REFERENCES: 105 ILCS 5/34-1 et seq.; 105 ILCS 5/24A-5; 105 ILCS 5/21-1; 105 ILCS 5/34-8.1 and 105 ILCS 5/34-84.

Approved for Consideration:


Alicia Winckler
Chief Human Capital Officer

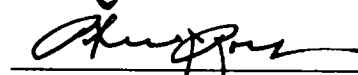
Noted:


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