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GIVE AND TAKE: THE CHICAGO TEACHERS UNION STRIKE AND ITS LOCAL AND NATIONAL IMPACT

by MARGARET JONES

In the summer and fall of 2012, the Chicago Teachers Union (“CTU”) and the Chicago Public School Board went head-to-head over important educational issues, resulting in the first teachers union strike in 25 years.¹ Although some of these disagreements have been settled, the strike’s overall effects are still far from clear.²

THE STRIKE

In June 2012, the CTU's contract with the city expired amidst quickly deteriorating renewal negotiations.³ The CTU announced that the union would strike on Sept. 9, 2012.⁴ During the strike, discussions continued to stalemate as the union's House of Delegates rejected a tentative agreement on Sept. 16, 2012.⁵

Condemned by the CTU as an act of vindictiveness and "bullying," the city filed a complaint with a state circuit court asking it to end the strike.⁶ The complaint relied heavily on IL ST CH 115 §5/4.5, which prohibits striking for non-economic reasons,⁷ citing "class size, the length of the work and school year, the academic calendar, and class staffing and assignment" as illegal reasons to strike.⁸

On Sept. 18, 2012, the CTU endorsed a proposed contract.⁹ This ended the strike, allowing 350,000 students to return to classes.¹⁰

THE FINAL CONTRACT

With one of the shortest school days in the country, the central part of the city's discussion was a 90-minute school day extension.¹¹ The city also wanted "a teacher evaluation system that increased reliance on test scores and student feedback," connecting teachers' salaries to student achievement.¹²

In CTU's opinion, the longer school day would not benefit students because schools would still be "doing the same thing and only doing it longer."¹³ Believing that a "longer school day is a distraction from" current structural and curricular problems found in schools,¹⁴ CTU's discussions have instead centered upon evaluations, pay and benefits, recalling teachers, and working conditions.¹⁵

Specifically, CTU sought a "raise in the first year of a new contract" and "a method of recalling teachers who have been laid off when there are new job openings."¹⁶ The CTU also hoped "to downplay the weight of how well students perform in the outcome of their biennial evaluations."¹⁷

Attempting to compromise between CTU and CPS objectives, the new contract will last three years with a year four renewal option.¹⁸ It provides an annual salary increase of 4.4 percent over four years and will cost the district an aggregate of \$295 million, which is, on average, \$55 million less per year than the previous contract.¹⁹

Other elements of the contract include a longer school day, maintained benefits and pensions, and a teacher-designed evaluation system that only partially relies on student test scores.²⁰ In addition, teachers will be evaluated on standardized assessments and teacher-created performance tasks to create a “more comprehensive picture of a teacher’s impact.”²¹

IMMEDIATE EFFECTS

Although the long-term effects of the strike “may not be apparent by June 2015, when the new contract expires,” some immediate effects are already evident.²²

The strike sparked discussion about education locally and nationally.²³ Although the United States spends “more per student than any country in the world,” two-thirds of the nation’s children are not college or career ready.²⁴

According to CTU’s staff coordinator, Jackson Potter, the strike “created a good political problem that forces [politicians] to address concerns.”²⁵ The increased public attention “gives educators and policymakers the chance to publicly grapple with the genuine qualitative issues that affect all schools.”²⁶

The strike, Potter explains, “was a powerful demonstration [to students] of why it is important for people to have voice and agency in their own lives and work.”²⁷ The students benefitted from “having teachers who are not afraid to stand up for their professions and for them and for policies that have tremendous impact on their environment.”²⁸

A SEAT AT THE TABLE

For the CTU, one of the biggest effects of the strike has been the positive “shift in respect and willingness to listen.”²⁹ According to Potter, the CTU now has a proverbial seat at the table, noting a significant “shift in how the district re-

sponds when [the union] has an opinion.”³⁰ CTU has recognized an increased respect from the city when it has opinions on issues involving day-to-day operations.³¹

The new contract also incorporates “clear language around paperwork,” which definitively outlines rules for lesson plans and planning periods.³² Now, teachers can make their own lesson plans and are provided more planning time throughout the day,³³ giving them greater time “to reflect on their work, improve lessons and make changes necessary for students to adapt in their course.”³⁴

SCHOOL CLOSINGS

As the strike came to an end, Chicago teachers feared the city would “go ahead with dozens of school closings because of falling enrollment and poor academic performance.”³⁵ This would result in school consolidations and an increase in charter schools.³⁶

Currently, CPS has “403,000 students, with seats for more than 511,000, and close to 140 of its 681 schools are more than half empty.”³⁷ The school district announced on March 21, 2013 that it plans to close 61 school buildings, including 53 underused schools.³⁸

The CTU has protested these school closings, believing this is not the proper way to achieve the desired results.³⁹ By simply replacing failing schools with charter schools, the school board is “not actually changing the dynamics.”⁴⁰ The cycle of poverty and marginalization will still exist, Potter noted.⁴¹ The CTU is calling instead for a moratorium on the closings and for better communication between the school board and the affected communities.⁴²

THE FUTURE

As the fight around school closings continues, negotiations for the 2015 contract renewal are looking grim.⁴³ According to Potter, CTU’s bitter fight around school closings “is going to put a monkey wrench in the collegial relationship [CTU and the city] have built.”⁴⁴

However, the CTU hopes that, “CPS will continue to fulfill their word.”⁴⁵ Collective bargaining and negotiations are “give and take processes—they are ways to resolve conflict without coming to a screeching halt.”⁴⁶

Although neither side received everything it wanted, the new contract has been considered a good compromise between each party and has been instrumental in creating a local and national discussion around important educational issues.⁴⁷

NOTES

1 *Chicago Teacher’s Strike Timeline*, CHICAGO SUN TIMES (September 16, 2012), available at <http://www.suntimes.com/news/cityhall/15193725-418/chicago-teachers-strike-time-line.html>.

2 Ford, Harrison LLP, *The Chicago Teachers’ Strike – Lessons Learned?* ILLINOIS EMPLOYMENT LAW LETTER (October 2012).

3 *Chicago Teacher’s Strike Timeline*, *supra* note 1.

4 *Id.*

5 *Id.*

6 *Emanuel seeks court order to end Chicago teacher strike*, USA TODAY (September 17, 2012), available at <http://usatoday30.usatoday.com/news/nation/story/2012/09/17/chicago-public-school-teachers-extend-strike/57789278/1>.

7 *Id.* See generally IL ST CH 115 §5/4.5 and *Board of Education of the City of Chicago, Plaintiff v. Chicago Teachers Union, Local No. 1, American Federation of Teachers, AFL-CIO, Defendant*, 2012 WL 4054140 (Ill. Cir. Ct.).

8 *Bd. of Educ. of the City of Chicago, Plaintiff v. Chicago Teachers Union, Local No. 1, American Federation of Teachers, AFL-CIO, Defendant*, 2012 WL 4054140 (Ill. Cir. Ct.).

9 Davey, Monica and Yaccino, Steven, *Teachers End Chicago Strike on Second Try*, NY TIMES (September 19, 2012), available at <http://www.nytimes.com/2012/09/19/us/vote-scheduled-on-chicago-teachers-contract.html?pagewanted=all>.

10 *Id.*

11 Hood, Joel. *Going Glove to Glove With Mayor Emmanuel*, THE CHICAGO TRIBUNE available at <http://www.ctunet.com/media/in-the-news/going-glove-to-glove-with-mayor-emmanuel>.

12 Ford, *supra* note 2.

13 Hood, *supra* note 11.

14 Hood, *supra* note 1.

15 Gray, Madison. *Chicago Teachers Go on Strike: 5 Things They’re Fighting For*, TIME (<http://newsfeed.time.com/2012/09/10/chicago-teachers-go-on-strike-5-things-theyre-fighting-for/>):

16 *Id.*

17 *Id.*

18 Davey, *supra* note 9.

19 New Chicago Public Schools-Chicago Teachers Union Contract Puts Chicago’s Students First, CPS Press Release (October 4, 2012), available at http://www.cps.edu/NEWS/PRESS_RELEASES/Pages/10_04_2012_PRI.aspx.

20 *Id.*

- 21 REACHStudents, CPS Press Release (December 11, 2012) *available at* <http://www.cps.edu/Pages/reachstudents.aspx>.
- 22 Ford, *supra* note 2.
- 23 Johnson, Fawn, *The Chicago Teachers Strike Highlights 'Societal Problem'*, NATIONAL JOURNAL ONLINE (September 18, 2012) *available at* <http://www.nationaljournal.com/domesticpolicy/the-chicago-teacher-strike-s-silver-lining-20120918>.
- 24 *Id.*
- 25 Telephone Interview with Jackson Potter, Staff Coordinator, Chicago Teachers Union (March 28, 2013).
- 26 Johnson, *supra* note 23.
- 27 *Id.*
- 28 *Id.*
- 29 *Id.*
- 30 *Id.*
- 31 *Id.*
- 32 *Id.*
- 33 *Chicago Teachers Union President Karen Lewis: Deal Ending Strike a Victory for Education*, DEMOCRACY NOW (September 19, 2012) http://www.democracynow.org/2012/9/19/chicago_teachers_union_president_karen_lewis.
- 34 Potter, *supra* note 25.
- 35 Wisniewski, Mary, *Chicago teachers fear wave of school closings after strike*, REUTERS (September 15, 2012) <http://www.reuters.com/article/2012/09/15/us-usa-chicago-schools-closing-idUSBRE88E0HF20120915>.
- 36 *Id.*
- 37 Ford, Dana and Wojtecki, Katherine, *Chicago to shutter dozens of schools*, CNN (March 21, 2013) *available at* <http://www.cnn.com/2013/03/21/us/illinois-chicago-school-closures>.
- 38 *Id.*
- 39 *Id.*
- 40 Potter, *supra* note 25.
- 41 *Id.*
- 42 Hirst, Ellen Jean and Bridget Doyle, *Mayor says negotiations over, but protestors march on*, CHICAGO TRIBUNE (March 29, 2013) *available at* http://articles.chicagotribune.com/2013-03-28/news/chi-rally-march-in-loop-today-against-cps-closings-20130327_1_chicago-teachers-union-school-closings-53-elementary-schools.
- 43 Ford, *supra* note 2.
- 44 Potter, *supra* note 25.
- 45 *Id.*
- 46 *Id.*
- 47 *See generally, supra* note 25.