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

*by* MARGARET JONES

**I**n 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.<sup>1</sup> Although some of these disagreements have been settled, the strike’s overall effects are still far from clear.<sup>2</sup>

## THE STRIKE

In June 2012, the CTU's contract with the city expired amidst quickly deteriorating renewal negotiations.<sup>3</sup> The CTU announced that the union would strike on Sept. 9, 2012.<sup>4</sup> During the strike, discussions continued to stalemate as the union's House of Delegates rejected a tentative agreement on Sept. 16, 2012.<sup>5</sup>

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.<sup>6</sup> The complaint relied heavily on IL ST CH 115 §5/4.5, which prohibits striking for non-economic reasons,<sup>7</sup> citing "class size, the length of the work and school year, the academic calendar, and class staffing and assignment" as illegal reasons to strike.<sup>8</sup>

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

## 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.<sup>11</sup> The city also wanted "a teacher evaluation system that increased reliance on test scores and student feedback," connecting teachers' salaries to student achievement.<sup>12</sup>

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."<sup>13</sup> Believing that a "longer school day is a distraction from" current structural and curricular problems found in schools,<sup>14</sup> CTU's discussions have instead centered upon evaluations, pay and benefits, recalling teachers, and working conditions.<sup>15</sup>

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."<sup>16</sup> The CTU also hoped "to downplay the weight of how well students perform in the outcome of their biennial evaluations."<sup>17</sup>

Attempting to compromise between CTU and CPS objectives, the new contract will last three years with a year four renewal option.<sup>18</sup> 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.<sup>19</sup>

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.<sup>20</sup> 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.”<sup>21</sup>

#### 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.<sup>22</sup>

The strike sparked discussion about education locally and nationally.<sup>23</sup> 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.<sup>24</sup>

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

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.”<sup>27</sup> 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.”<sup>28</sup>

#### 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.”<sup>29</sup> 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.”<sup>30</sup> CTU has recognized an increased respect from the city when it has opinions on issues involving day-to-day operations.<sup>31</sup>

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

#### 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.”<sup>35</sup> This would result in school consolidations and an increase in charter schools.<sup>36</sup>

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.”<sup>37</sup> The school district announced on March 21, 2013 that it plans to close 61 school buildings, including 53 underused schools.<sup>38</sup>

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

#### THE FUTURE

As the fight around school closings continues, negotiations for the 2015 contract renewal are looking grim.<sup>43</sup> 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.”<sup>44</sup>

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

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.<sup>47</sup>

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NOTES

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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.).

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13 Hood, *supra* note 11.

14 Hood, *supra* note 1.

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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](http://www.democracynow.org/2012/9/19/chicago_teachers_union_president_karen_lewis).
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- 43 Ford, *supra* note 2.
- 44 Potter, *supra* note 25.
- 45 *Id.*
- 46 *Id.*
- 47 *See generally, supra* note 25.