Proposal to the Illinois State Board of Education

For

Hearing Officer Training

Submitted by

ADR International, LLC

Roger K. MacDougall, President & CEO

December 3, 2012
Contents

Part 1: Narrative Description ............................................................................................................................. 4

A: Cover Page ............................................................................................................................................. 4

1. Bidder Information ............................................................................................................................ 4

B. Executive Summary ............................................................................................................................ 5

Objective ............................................................................................................................................... 5

Activities ................................................................................................................................................ 5

Timeline ................................................................................................................................................. 5

C. Work Plan and Timelines ....................................................................................................................... 6

1. Consultation ..................................................................................................................................... 6

2. Training and Resource Material Development ................................................................................ 8

3. Training Material Production ........................................................................................................... 8

4. Training Scheduling and Delivery (including video creation) ........................................................... 8

5. Resource Material Deployment ....................................................................................................... 9

6. Reporting .......................................................................................................................................... 9

7. Review of Training Feedback ......................................................................................................... 10

8. Revision of Training Material and Resources .................................................................................... 10

9. Delivery of Further Training ........................................................................................................... 10

D. Exceptions to the RFSP ....................................................................................................................... 11

1. Timelines ........................................................................................................................................ 11

2. Insurance ........................................................................................................................................ 11

3. Successorship ................................................................................................................................... 11

E. Contractor’s Qualifications ................................................................................................................. 12

Part II: Cost Proposal .................................................................................................................................. 13

A. Cover Page ......................................................................................................................................... 13

1. Bidder Information ............................................................................................................................ 13

B: Budget ................................................................................................................................................ 14

Part III: Certifications and Assurances (Attachments 1-9) .......................................................................... 18

Part IV: Compact Discs .................................................................................................................................. 19

Part V: Redacted Version ............................................................................................................................... 20
Appendix A: Sample Training Material ................................................................. 21
Lesson Format ........................................................................................................... 21
Course Outline ......................................................................................................... 21
  Lesson 1: Introduction .......................................................................................... 21
  Lesson 2: PERA ................................................................................................... 21
  Lesson 3: PA 97-8 (Senate Bill 7) ...................................................................... 22
  Lesson 4: Civil Practice ....................................................................................... 23
  Lesson 5: Conclusion and Wrap Up ................................................................. 23
Course Evaluation ................................................................................................... 24
Resources Material ................................................................................................. 25
Part 1: Narrative Description

A: Cover Page

1. Bidder Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Bidder Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>ADR International, LLC</td>
</tr>
<tr>
<td>Address:</td>
<td>PO Box 5838, Chicago, IL 60680</td>
</tr>
<tr>
<td>Telephone:</td>
<td>312-772-3701</td>
</tr>
<tr>
<td>Fax:</td>
<td>312-276-4751</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:roger@adrinternationalllc.com">roger@adrinternationalllc.com</a></td>
</tr>
<tr>
<td>Contact Person:</td>
<td>Roger MacDougall</td>
</tr>
<tr>
<td>FEIN:</td>
<td>[Redacted]</td>
</tr>
</tbody>
</table>

Note: This organization is NOT a division or subsidiary of any other organization.

Signed: ________________________________

Roger K. MacDougall, President & CEO
B. Executive Summary

Objective
The objective of this proposal is to immediately provide training to approximately 40 hearing officers to enable them to preside over tenured teacher dismissal hearings across the State of Illinois. The target audience is practicing arbitrators, familiar with teacher dismissal cases. They need to be updated on the latest legal changes, especially as they relate to changes in reasons for which a tenured teacher may be dismissed, the new processes required, the phase-in issues and the new timelines with which hearing officers must comply.

Activities
Key constituents from both labor and management must be consulted prior to development of the training materials. The training materials must be developed and include the correct legal material, along with material concerning the evaluations of the performance of teachers (as this is a new ground for possible sanction). The basics of civil practice before a hearing officer must be covered. Once developed and produced, the training material must be delivered to approximately 40 hearing officers at 3 locations in Illinois. These sessions are to be a minimum of 4 hours each and shall include training manuals and references to resource materials. At least one of these training sessions will be recorded (both audio and visual) for use as a web-based training resource. The participants will be provided a training feedback form to complete, in order to assess the effectiveness of the training as it is being delivered. Parties to hearings conducted by the newly-trained hearing officers will also be provided an evaluation form for submission to the contractor within 30 days of the close of the hearing. The contractor will then compile this information and report it to the ISBE on an annual basis, prior to June 15 of each year. The contractor will also work with ISBE to host the training and resource materials on the ISBE servers. Finally, the contractor will update the material annually and deliver it to further audiences in future years, as required by ISBE.

Timeline
The overall project timeline, as measured from the date of contract award is as follows:

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1.</td>
<td>Consultation</td>
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<tr>
<td>2.</td>
<td>Training and Resource Material Development</td>
</tr>
<tr>
<td>3.</td>
<td>Training Material Production</td>
</tr>
<tr>
<td>4.</td>
<td>Training Scheduling and Delivery (including video creation)</td>
</tr>
<tr>
<td>5.</td>
<td>Resource Material Deployment</td>
</tr>
<tr>
<td>6.</td>
<td>Reporting</td>
</tr>
<tr>
<td>7.</td>
<td>Review of Training Feedback</td>
</tr>
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</table>

**Total for the 2012-2013 School Year** 12 weeks

2013-2014 School Year and Beyond

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<tbody>
<tr>
<td>8.</td>
<td>Revision of Training Material and Resources</td>
</tr>
<tr>
<td>9.</td>
<td>Delivery of Further Training</td>
</tr>
</tbody>
</table>

**Future Years Total** 7 weeks
C. Work Plan and Timelines
The proposed work plan consists of 9 key elements:

1. Consultation;
2. Training and Resource Material Development;
3. Training Material Production;
4. Training Scheduling and Delivery (including video creation);
5. Resource Material Deployment;
6. Reporting;
7. Review of Training Feedback;
8. Revision of Training Material and Resources; and

While there will naturally be some overlap in the sequencing and execution of these items, for the sake of presentation, they are presented as discrete concepts.

1. Consultation

Objective
The objective of these consultations is to:

a) gain insight into the perspectives of the key constituents;
b) address any concerns they might have with respect to the training; and
c) improve the final training product.

Activities
In order to gain further background and perspective on the issues involved, Roger MacDougall has attended the Illinois Public Sector Labor Relations Law Conference on November 30, 2012, including, specifically, the presentation on “Education Reform, One Year Later” by Victor Blackwell, Illinois Educational Labor Relations Board; James C. Franczek, Jr., Karen Lewis, Chicago Teachers Union and Mitchell Roth, Illinois Education Association, NEA.

ADR proposes, further, to consult with the following key constituents, or their delegates, as a minimum:

Consortium for Educational Change (CEC);¹
Illinois Association of School Administrators (IASA);²
Illinois Principals Association (IPA);³

¹Mary Jane Morris, Executive Director, 530 E. 22nd Street, Lombard, IL 60148, P: 630.495.0507, E: info@cecillinois.org
²Brent Clark, Ph.D., Executive Director, 2648 Beechler Court, Springfield, IL 62703, P:217.753.2213, E: clark@iasaedu.org
Illinois Association of School Boards (IASB)\(^4\);

Illinois Education Association (IEA)\(^5\);

Illinois Federation of Teachers (IFT)\(^6\); and

Chicago Teachers Union (CTU)\(^7\).

These consultations will be by telephone and, wherever practicable, in person. ADR will travel to the constituents, present the outline and sample materials contained in this proposal as a discussion document, seek input and adjustments from the parties, and adjust the training materials as necessary and advisable. There will be continuous feedback with the ISBE as this unfolds.

The following is proposed as a draft consultation outline:

- **a)** Introduction – who we are, why we are calling/meeting, confirmation of time constraints of the parties;
- **b)** Outline of proposed training, including draft material, draft additional resources, draft timeline, draft training evaluation;
- **c)** Feedback from the party – open dialogue;
- **d)** Confirmation of any follow-up items; and
- **e)** Wrap-up and thank you.

**Timeline**

The timeline for these consultations will naturally depend on the availability of the key parties, but the consultations will begin immediately upon contract award with a target for completion of these discussions of 2 weeks from the award of this contract.

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\(^{3}\) Jason Leahy, Executive Director, 2940 Baker Drive, Springfield, IL 62703, P:217-525-1383, jason@ilprincipals.org

\(^{4}\) Roger L. Eddy, Executive Director, 2921 Baker Drive, Springfield, IL 62703, P: 217-528-9688, ext. 1130, E: reddy@iasb.com

\(^{5}\) Cinda Klickna, President, 100 E. Edwards Street, Springfield, IL, P: 217-544-0706

\(^{6}\) Daniel J. Montgomery, President and Chief Operation Officer, 500 Oakmont Lane, Westmont, IL, 60559, P: 630-468-4080

\(^{7}\) Karen Lewis, President, 222 Merchandise Mart Plaza, Suite 400, Chicago, IL 60654, P: 312-329-9100, E: karenlewis@ctulocal1.com
2. Training and Resource Material Development

Objective
The objective of this component is to develop comprehensive, accurate and user-friendly material, in a timely fashion.

Activities
This is a core component of the overall program. The basic activity will be converting the legislation, regulations, background material and the input from consultations into the training package. It will then be proofed, reviewed with ISBE and re-configured as necessary. For the proposed overall training plan, including a sample portion, and specific resources, please see the attached Appendix.

Timeline
This will be the longest activity. In order to compress the timeline as much as possible, work will actually begin upon contract award. As consultations take place, the material will be adjusted accordingly. This will allow the finished product to be delivered sooner. Therefore, the overall training package development period has been reduced to 4 weeks.

3. Training Material Production

Objective
The objective is to produce high quality training material for use by the attendees in class as well as a resource when they leave.

Activities
Materials will be produced in both binders and on flash drives. References with direct hyperlinks will be contained in the flash drives. A summary of the material will be produced in Powerpoint format to facilitate the 4 hour training discussions.

Timeline
The training material will be ready 1 week after the material is finalized.

4. Training Scheduling and Delivery (including video creation)

Objective
The objective is to successfully train approximately 40 hearing officers in 3 locations, with audio-visual digital recording being conducted in at least one location.

Activities
The contractor will work with ISBE staff to choose and secure the use of the facilities at the 3 locations. The contractor will manage the attendance at each of the sessions. The contractor will ensure the availability of an overhead projector, audio-visual recording equipment, and a suitable training facility.
The contractor will provide each attendee with a copy of the training manual, a flash drive with the material, the survey form for them to complete on-site and the survey form for them to give each of the parties who ultimately appear before them.

The contractor will personally deliver the training and follow-up on any outstanding questions or issues flowing from the session.

**Timeline**
The training will be conducted over a 2 week period.

5. Resource Material Deployment

**Objective**
This objective is to ensure that the ISBE is able to promulgate the training material, the video and additional resources on their web servers.

**Activities**
Working with ISBE Data Systems and Technology Support team, develop the training material in a fashion which is compatible with Microsoft Visual Studio 2010. The contractor is an engineer with a computer programming background. He also has familiarity with Crystal Reports and will work with the ISBE team to ensure any data reports generated from within the system are done with Crystal Reports and are easily edited.

**Timeline**
The timeline for this activity will be 2 weeks.

6. Reporting

**Objective**
The objective is to ensure ISBE gets quality reports to assess both the effectiveness of the training, as well as the effectiveness of the hearing officers in the ultimate conduct of their hearings.

**Activities**
The contractor will develop a training assessment tool related to the hearing officer training. He will also develop a separate hearing officer assessment tool. He will gather the data produced by these tools and report to the ISBE. In the case of the training assessment, the reports will be submitted immediately after the training is completed. In the case of the hearing officer assessments, they will be gathered by the contractor on an ongoing basis, with the results reported to the ISBE on an annual basis, prior to June 15 of each year.

**Timeline**
The development of the tools will take ½ week. The reporting is included at no additional charge.
7. Review of Training Feedback

Objective
The objective of the review is to assess the training materials, the facilities and the trainer, in order to improve each.

Activities
The contractor will collate, report on and review the training data. The contractor will identify areas for improvement and create the appropriate action plans.

Timeline
This function will take ½ week after the training is completed.

8. Revision of Training Material and Resources

Objective
The objective here is to review the legislative framework, review any pertinent case law, to incorporate feedback from interested parties and to update the training material and resources as required.

Activities
The contractor will perform a regular review of any changes and interpretations of the legislation. He will also review any court cases which might result from judicial review of the awards of hearing officers. He will seek updated input through further consultations with the interested parties. He will update all of the training and resource materials as needed and will ensure the updates can be put on the ISBE servers.

Timeline
This section assumes that the ISBE renews the contract and therefore will take place over a 4 week period early in each new school year.

9. Delivery of Further Training

Objective
The objective is to provide future hearing officer training, as necessary, in school years beyond the end of the current one.

Activities
The contractor will train up to 40 additional hearing officers at up to 3 locations in the State of Illinois under these same terms and conditions in future years. Training evaluation and hearing officer assessment reports will be provided annually.

Timeline
Including updating the training material, this is scheduled for 3 weeks in future years.
D. Exceptions to the RFSP

1. Timelines
   Any timelines, but for the budget and year end ones, contained in the Request for Sealed Proposals are adjusted as provided in this proposal. In general, the timelines contained herein are from the date notice is received by the contractor that he is the successful bidder.

2. Insurance
   The contractor does not currently have in place the insurance specified in pp. 22-23, Article 12 (a), (c) (the contractor does not employ any workers), or (d). The contractor does have the insurance specified in Article 12 (b). The contractor would be willing to discuss these further with the ISBE if it is necessary to pursue any of these items.

3. Successorship
   The contractor seeks a representation and warranty from the ISBE that p. 30, Article 2(z) does not apply to the subject matter of this contract (unionization – successor rights issue).
E. Contractor’s Qualifications

Roger MacDougall will be the primary person responsible for the delivery of this project. He is a lawyer and Professor of Arbitration Law at John Marshall Law School. He has an active practice as an arbitrator, hearing in the order of 100 cases annually as the neutral member of tri-partite arbitration tribunals. He is on the roster of the Federal Mediation and Conciliation Service, the National Mediation Board (airline and railroad arbitrations) and the International Court of Arbitration. He has successfully completed arbitration courses including the Master Arbitrator course of the International Chamber of Commerce (ICA), the FMCS and is a certified online arbitrator by the National Mediation Board. He also coaches arbitration law school teams and is a repeatedly-invited judge for ABA Arbitration, Mediation, Client-Counseling and Trial Advocacy competitions.

He is a former arbitration advocate, having conducted or been responsible for the conduct of over 1200 labor arbitration cases, internationally, with over 1000 of those in the U.S. He led the Human Resources and Labor Relations function for a Fortune 500 international corporation responsible for over 6600 employees in the United States. In this role, he was responsible for all training activities for over 5500 unionized employees. He developed, led and co-delivered leadership training for over 1500 managers. **He was responsible for developing and implementing a Hearing Officer Training course for in-house hearing officers.**

His technical qualifications include being a Civil Engineer, including computer programming. He has led the development of multiple computer-based training systems. He has led the technical team for in-house legal counsel for a 22,000 employee company. He has personally programmed and has developed web-sites.

For further details about the primary contractor, please visit: [www.adrinternationalllc.com](http://www.adrinternationalllc.com).

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8 In the rail industry in the United States, hearings are conducted on-property by railroad hearing officers as a *de novo* hearing, with management and union witnesses. Any appeal of this process goes, ultimately, to an arbitration panel which then sits purely as an appellate board. Thus, railroad hearing officers must be trained in the conduct of a fair and impartial hearing, proper evidence, transcripts, objections, etc. Thus he has practical experience in delivering a product not dissimilar to that currently required by the ISBE.
Part II: Cost Proposal

A. Cover Page

1. Bidder Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Bidder Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>ADR International, LLC</td>
</tr>
<tr>
<td>Address:</td>
<td>PO Box 5838, Chicago, IL 60680</td>
</tr>
<tr>
<td>Telephone:</td>
<td>312-772-3701</td>
</tr>
<tr>
<td>Fax:</td>
<td>312-276-4751</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:roger@adrinternationalllc.com">roger@adrinternationalllc.com</a></td>
</tr>
<tr>
<td>Contact Person:</td>
<td>Roger MacDougall</td>
</tr>
<tr>
<td>FEIN:</td>
<td></td>
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</tbody>
</table>
### B: Budget

<table>
<thead>
<tr>
<th>Contract Period (from)</th>
<th>Contract Period (to)</th>
<th>Deliverable</th>
<th>Costing Details</th>
<th>Cost Estimate</th>
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</table>
| Current                | June 30, 2013        | 1. Consultation – minimum of 7 sets of consultations, plus feedback with ISBE | 1. Personnel: (10 days, $2,000 per diem, $20,000 total)  
2. Supplies and materials - $100  
3. Travel costs, number of trips – 2 round trips to Springfield (400 mi each, plus 1 hotel and meals each trip), local travel in Chicagoland area - $800  
4. Production costs - $200  
5. Subcontracting: None.  
6. Renewals – contained herein.  
7. Other costs – travel and meetings beyond those specified herein will be at the per diem personnel costs, at IRS mileage rates and at actual cost for any necessary overnight stays. | $21,100 |
|                        |                      | 2. Training and Resource Material Development | 1. Personnel: (20 days, $2,000 per diem, $40,000 total)  
2. Supplies and materials - $100  
3. Travel costs, number of trips:  
4. Production costs:  
5. Subcontracting: None.  
6. Renewals – contained herein.  
7. Other costs – travel and meetings beyond those specified herein will be at the per diem personnel costs, at IRS mileage rates and at actual cost for any necessary overnight stays. | $40,100 |
|                        |                      | 3. Training Material Production | 1. Personnel: (5 days, $2,000 per diem, $10,000 total)  
2. Supplies and materials - $100  
3. Travel costs, number of trips:  
4. Production costs: 40 participants, plus 10 extra packages for constituents |
| 4. **Training Scheduling and Delivery (including video creation)** | 1. Personnel: (10 days, $2,000 per diem, $20,000 total)  
2. Supplies and materials - $200  
3. Travel costs, number of trips: $2000, 3 trips, including training rooms if necessary.  
4. Production costs: None.  
5. Subcontracting: None.  
6. Renewals – contained herein.  
7. Other costs – travel and meetings beyond those specified herein will be at the per diem personnel costs, at IRS mileage rates and at actual cost for any necessary overnight stays.  
8. **Total Cost** $22,200 |
|---|---|
| 5. **Resource Material Deployment** | 1. Personnel: (10 days, $2,000 per diem, $20,000 total)  
2. Supplies and materials - $500 – software, media  
3. Travel costs, number of trips: 1 - $300  
4. Production costs -  
5. Subcontracting: None.  
6. Renewals – contained herein.  
7. Other costs – travel and meetings beyond those specified herein will be at the per diem personnel costs, at IRS mileage rates and at actual cost for any necessary overnight stays.  
8. **Total Cost** $20,800 |
| 6. **Reporting;** | 1. Personnel: (2.5 days, $2,000 per diem, $2,500 total) |

| 5. **Resource Material Deployment** | 1. Personnel: (10 days, $2,000 per diem, $20,000 total)  
2. Supplies and materials - $500 – software, media  
3. Travel costs, number of trips: 1 - $300  
4. Production costs -  
5. Subcontracting: None.  
6. Renewals – contained herein.  
7. Other costs – travel and meetings beyond those specified herein will be at the per diem personnel costs, at IRS mileage rates and at actual cost for any necessary overnight stays.  
8. **Total Cost** $20,800 |
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>6. <strong>Reporting;</strong></td>
<td>1. Personnel: (2.5 days, $2,000 per diem, $2,500 total)</td>
</tr>
<tr>
<td></td>
<td>2. Supplies and materials -</td>
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<tr>
<td>3.</td>
<td>Travel costs, number of trips:</td>
</tr>
<tr>
<td>4.</td>
<td>Production costs -</td>
</tr>
<tr>
<td>5.</td>
<td>Subcontracting: None.</td>
</tr>
<tr>
<td>6.</td>
<td>Renewals – contained herein.</td>
</tr>
<tr>
<td>7.</td>
<td>Other costs – travel and meetings beyond those specified herein will be at the per diem personnel costs, at IRS mileage rates and at actual cost for any necessary overnight stays.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>7. Review of Training Feedback</th>
<th>1. Personnel: (2.5 days, $2,000 per diem, $2,500 total)</th>
<th>$2,500</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>2. Supplies and materials</td>
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<tr>
<td></td>
<td>3. Travel costs, number of trips:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Production costs -</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. Subcontracting: None.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6. Renewals – contained herein.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7. Other costs – travel and meetings beyond those specified herein will be at the per diem personnel costs, at IRS mileage rates and at actual cost for any necessary overnight stays.</td>
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<tr>
<td></td>
<td>8. Total Cost</td>
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**Total for 2012-2013 School Year** $125,000

<table>
<thead>
<tr>
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<th>July 1, 2013</th>
<th>June 30, 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.</td>
<td>Revision of Training Material and Resources; and</td>
<td>1. Personnel: (35 days, $2,000 per diem, $70,000 total)</td>
</tr>
<tr>
<td></td>
<td>Delivery of Further Training complete with training reports and annual hearing officer reports</td>
<td>2. Supplies and materials - $1,500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Travel costs, number of trips: $2800 – 5 trips.</td>
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<td></td>
<td>4. Production costs - $700</td>
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<tr>
<td></td>
<td></td>
<td>5. Subcontracting: None.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6. Renewals – contained herein.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7. Other costs – travel and meetings beyond those specified herein will be at the per diem personnel costs, at IRS mileage rates and at actual cost for any necessary overnight stays</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8. Total Cost</td>
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<tr>
<td></td>
<td>July 1, 2014</td>
<td>June 30, 2015</td>
</tr>
<tr>
<td></td>
<td>Same</td>
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<tr>
<td>July 1, 1015</td>
<td>June 30, 2016</td>
<td>Same</td>
</tr>
</tbody>
</table>

Note: For the purposes of this contract, the normal per diem for Roger MacDougall has been discounted by 33% from his normal, published, rates.
Part III: Certifications and Assurances (Attachments 1-9)

These will be provided under separate cover.
Part IV: Compact Discs

It is the understanding of this bidder that this item is no longer required since this is now a sole-source contract. However, should these discs be required at a later date, they will be provided, without additional charge.
Part V: Redacted Version

This has been excluded. It can be provided if necessary, upon request.
Appendix A: Sample Training Material

Lesson Format
1. Objective
2. Material
3. Quick Review
4. Progress Check (series of multiple choice questions)
5. Progress Check Answers

(these will be fleshed out in the actual training material)

Course Outline
(this is a rough outline)

Lesson 1: Introduction
Objective: to understand the new legislative landscape in place today

• PA 97-8 – requirement to train hearing officers as of September 1, 2012.
• Performance Evaluation Reform Act (PERA)
• Previously – tenure was not based on performance; only years of service
• No previous requirement to consider student performance when assessing teacher performance
• New laws – streamline tenured teacher dismissals
• New deadlines for hearing officers to adhere to
• New processes for selecting hearing officers and paying them

Lesson 2: PERA
Objective: to understand the requirements of PERA and how they might come into play in a hearing.

• Enacted January 15, 2010
• Sets out what must be included in teacher evaluations (including student performance)
• How evaluators must be trained (include Framework for Teaching, Charlotte Danielson) – 4 Domains: Planning and Preparation, The Classroom Environment, Instruction, Professional Responsibilities
• Effective Sept 1, 2012 – teachers must be rated annually as: Excellent, proficient, needs improvement or unsatisfactory
• What happens to a “needs improvement” or “unsatisfactory” teacher
• “PERA Implementation Date” – currently September 1, 2016 – student growth must be a “significant factor”
• CPS – special date – September 1, 2012 for at least 300 CPS schools, September 1, 2013 for the remainder in Chicago.
• Issues of student turnover? What happens if a significant portion of the class changes in the school year – still under discussion.
• Joint committees to work out incorporation of student factors
• If no agreement on evaluation – model gets imposed – 180 days for non-CPS; 90 days for CPS, but model not imposed – last best proposal.

Lesson 3: PA 97-8 (Senate Bill 7)
Objective: to understand the implications of PA97-8 on hearings.

• Affects when a teacher becomes tenured
• Old system – 4 consecutive school terms
• After PERA Implementation – 3 ways to get tenure – describe
• If not tenured after 4 years, (use definitions) – teacher MUST be dismissed.
• Streamlined dismissal procedure
• Tenured Teacher Dismissal Hearings – old system – only one dismissal process for both conduct and performance-based dismissals.
• Now – must distinguish – CPS, non-CPS
• Non-CPS – Board of Ed. must approve (majority vote of all members) a motion containing specific dismissal charges. Written notice to teacher, which must include... 5 days from adoption of motion.
• Teacher has 17 days to request a hearing
• Hearing must commence within 75 days of selection of hearing officer; must conclude within 120 days from selection.
• Limited to 3 days of hearing (unless extended by h.o. – must have good cause or mutual agreement)
• If hearing officer is mutually selected – cost is split; if board-selected – board pays 100%
• If performance based (Article 24A of School Code) – h.o. must issue a final decision within 30 days after close of the hearing or record (whichever is later) – extensions only for “good cause”
• If h.o. finds for teacher, h.o. or school board MUST order reinstatement.
• Conduct-based dismissals – h.o. has 30 days to issue findings of fact and recommendation to the school board – Board must issue a written order within 45 days of receipt of the findings.
• CPS – different method for selecting hearing officers
• Board of Ed must maintain a list of at least 9 qualified h.o.’s after good faith consultation with the Union.
• “Qualified” – accredited by a national org, at least 5 years experience as an arb in labor/employment; and (as of Sept 1, 2012) gone through this training.
• Within 5 days of notice of hearing request – general Sup of CPS and the teacher or his/her rep. must finish a strike list. If the teacher or teacher rep fails to participate in the strike list, the Sup. Must pick a h.o. from the list of 9+ OR from the ISBE master list.
• Alternative dismissal process for Performance-Based Dismissals – both CPS and non-CPS – school boards can use an “alternative process” for perf-based dismissals.
• Shorter deadlines. May ONLY be used for teacher subject to a remediation plan resulting from a PERA evaluation (thus a later effective date)
• h.o. also only makes findings and recommendations in this case.
• School district must create & est list of at least 2 qualified evaluators to serve as a “second evaluator” for the teacher.
• Union must be allowed to submit names (has 21 days to do so after school district does)
• School district must est. procedure for picking the 2nd.
• Hearings in these cases only 2 days, not 3
• Scope of hearing is more limited.

Lesson 4: Civil Practice
Objective: to provide certain key basics of civil practice before a hearing officer.

• Discovery – timelines and procedures for disclosure of documents and witnesses - 23 Ill. Admin. Code Part 51
• Illinois Evidence Code and Illinois Administrative Procedures Act (IAPA) - treatment of evidence in an administrative hearing, when hearsay testimony is permitted, how to determine the weight to be afforded to evidence, how to determine whether evidence is relevant, and how to determine when evidence is admissible and for what purpose
• IAPA requirements and best practices of decision-writing and form, including but not limited to:
  o Format of decision/recommendation;
  o Analysis of evidence;
  o Impartiality and civility; and
  o Conduct-based dismissals (i.e., remediable versus irremediable conduct).
• new timelines for completion of prehearing, hearing, and post-hearing phases

Lesson 5: Conclusion and Wrap Up
• Where to find further information
• Course Evaluation
• Questions?
Course Evaluation

One model is as follows (others can be developed during the consultation process):

1.1 Did you think this class was informative?  
   - Yes  
   - Somewhat  
   - No

1.2 Did you think this class was enjoyable?  
   - Yes  
   - Somewhat  
   - No

1.3 Did you learn new things about PERA?  
   - Yes  
   - Somewhat  
   - No

1.4 Did you learn new things about the other legislative changes?  
   - Yes  
   - Somewhat  
   - No

1.5 Did this course help you be prepared for a hearing under the new rules?  
   - Yes  
   - Somewhat  
   - No

. Please give the following items a rating from 4 (most positive) to 1 (most negative).

<table>
<thead>
<tr>
<th>Positive</th>
<th>Negative</th>
</tr>
</thead>
<tbody>
<tr>
<td>The instructor</td>
<td>4 3 2 1</td>
</tr>
<tr>
<td>The room</td>
<td>4 3 2 1</td>
</tr>
<tr>
<td>The course materials</td>
<td>4 3 2 1</td>
</tr>
</tbody>
</table>

3.1 List one thing you liked about the instructor and one thing that could be improved.
   Liked: __________ ________ Improvement: __________ ________

3.2 List one thing you liked about the room and one thing that could be improved.
   Liked: __________ ________ Improvement: __________ ________

3.3 List one thing you liked about the course materials and one thing that could be improved.
   Liked: __________ ________ Improvement: __________ ________
Resources Material

http://www.lhup.edu/evalerio/Danielson's%20Framework.pdf

ISBE non-regulatory guidance

ISBE interpretations

ISBE proposed rules for implementing PERA

Law:


105 ILCS 5/24-11; -12; -16.5; 105 ILCS 5/24A-1 et seq. and 105 ILCS 5/34-85

23 Ill. Admin. Code 51

Websites

Cases