**FSD Resource: Sample Collective Bargaining Language Appeals Process**

October 1, 2019

**Chicago Teachers Union Local 1**

Article 39-9. Appeals Process is linked [here.](https://contract.ctulocal1.org/#art39-9)

**Lake County Federation of Teachers Local 504, Zion-Benton Council**

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| **Original Union Proposal** | **Final Bargained Contract Language** |
| Appeals Committee: upon execution of this Agreement, an evaluation appeals committee will be formed with equal representation of Union members, as appointed by the Union President, and Administrators, as appointed by the Superintendent.  The committee shall be charged with reviewing a teacher’s submission for an appeal to his/her observation/evaluation.  Each committee member will have one (1) vote as to whether or not to uphold the appeal.  If the appeal is upheld, the petitioning teacher’s observation/evaluation will be discarded, and the teacher shall be allowed to re-do his/her observation/evaluation with a different evaluator.  If the appeal is denied, the original observation/evaluation shall stand.  Should there be a tie vote of the committee, the Director of Teaching and Learning will break the tie.   One or more of the following indicators must be present for a teacher to submit an appeal: (1) if the teacher receives an Unsatisfactory rating in any Domain; (2) if the teacher is a tenured teacher and he/she receives an uncharacteristic/out of the ordinary evaluation rating on an evaluation; (3) if there is significant disparity between formal and informal observation/evaluation ratings; and/or (4) if the evaluation tool is used in such a way that a Distinguished rating is unachievable in one or more components of the formal or informal classroom observation instrument. | Evaluation Appeals Committee: upon execution of this Agreement, an Evaluation Appeals Committee (“EAC”) will be formed with equal representation of Union members, as appointed by the Union President, and Administrators, as appointed by the Superintendent. All EAC members must be “qualified evaluators.” The EAC shall be charged with reviewing a tenured teacher’s submission for an appeal to his/her summative evaluation. The criteria on which the EAC’s review will be based shall be determined by the Joint Evaluation Committee by no later than March 1, 2020.  Only tenured teachers who receive a Needs Improvement or Unsatisfactory on their summative evaluation may submit an appeal. Each EAC member will have one (1) vote as to whether or not to uphold the appeal. If the appeal is upheld, the petitioning teacher’s evaluation will be discarded, and the teacher shall be allowed to re-do his/her evaluation with a different evaluator. If the appeal is denied, the original summative evaluation shall stand. Should there be a tie vote of the EAC, the Director of Teaching and Learning will break the tie. |