



## **MEMORANDUM**

**To:** President Sean Harden and Members of the Chicago Board of Education

**From:** Dr. Macqueline King, Superintendent/Chief Executive Officer

**CC:** Miguel Perretta, Chief Labor Relations Officer  
Elizabeth Barton, Acting General Counsel  
Charles Mayfield, Chief Operating officer  
Julie Burnett, Chief of Staff, Superintendent/CEO  
Fae Rabin, Chief of Staff, Board of Education  
Cliff Peng, Director, CPS Board Relations

**Date:** April 07, 2026

**Re:** CTU May 1st Day of Civic Action

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### **Overview**

This memo outlines considerations regarding the District and the May 1, 2026 Day of Civic Action. The District recognizes the historical significance of International Workers' Day and the right to peaceful civic expression. Our core responsibility remains ensuring the safety, supervision, continuity of instruction and preservation of key student experiences. The District's position is to remain open on May 1 to ensure continuity of instruction, maintain safe and supervised environments, and minimize disruption for families including avoiding interruptions to essential services such as student meals while implementing operational supports to manage potential staffing variability.

Recently, the Chicago Teachers Union (CTU) House of Delegates passed a resolution calling for May 1, 2026 to be designated as an official "Day of Civic Action." The resolution encourages a national day of "No Work, No School, and No Shopping" to support various policy goals, including increased school funding, immigrant justice, and labor rights. Planned activities include mass resistance training, marches, and voter registration drives.

Under the current Board-approved calendar, May 1 is a scheduled instructional day for students, while June 5, 2026 is a teacher-directed professional development (PD) day. The CTU is requesting that the District swap these dates to allow staff and students to participate in the May Day activities. This memorandum outlines the contractual history of this issue and evaluates the options available to the District and the Board.

### **CTU Resolution Demands & Details**

The CTU resolution asks the Board and the Mayor to officially sanction May 1 for activities including "mass resistance training," marches, and voter registration. The union's stated goals for the day include:

- Protesting federal policies and "authoritarianism."



- Demanding increased school funding and “taxing the rich.”
- Advocating for immigrant justice and keeping ICE out of cities.
- Encouraging schools to engage in “age-appropriate civic learning” and labor history programming.

### **CTU Contractual Context and Pending Dispute**

On April 6, 2026, the CTU filed a formal grievance, asserting that CPS failed to mutually schedule a teacher-directed professional development day for the 2025-2026 school year. The CTU alleges that the District is violating the collective bargaining agreement by declining to swap May 1, 2026 and June 5, 2026. This issue centers on Article 19-2, which states:

19-2. Teacher-Directed Professional Development Days. Effective School Year 2026-2027, the following Professional Development days shall be designated as teacher-directed: the first Friday of Teacher Attendance, a day mutually agreed upon by the parties, and the professional development day following the last day of student attendance. One teacher-directed professional development day will be scheduled by mutual agreement of the parties prior to presenting the academic calendar to the Board of Education for approval. Except as provided in Articles 4 and 5, all other professional development days, including flex days, shall be fully principal-directed.

During negotiations of this most recent CBA, the CTU sought to designate every May 1 as a teacher-directed professional development day to facilitate civic engagement. The parties ultimately agreed to a process where one professional development day is selected mutually. This provision is scheduled to take effect beginning with the 2026-2027 academic calendar. The District’s position was based on the fact that the Board had already adopted the 2025-2026 calendar and instructional days had been communicated to families. The parties specifically bargained for the 2026-2027 effective date. This timeline was intentional and reflected an agreement to maintain the instructional days already in place for the current year while phasing in the new process for future calendars.

Consistent with Article 19-2, the District and CTU collaborated from September 2025 through early 2026 to reach a mutual agreement on the designated professional development days for the subsequent two school years. Following this collaboration, the Board adopted the 2026-2027 and 2027-2028 academic calendars on February 26, 2026.

The contract language is explicitly effective for the 2026-2027 school year, and the agreed-upon process for those future calendars has been followed. While the CTU asserts that the District is required to alter the current 2025-2026 calendar, the contract establishes a phase-in implementation of this contractual right. In the grievance, the CTU demands that CPS convert May 1, 2026 to a teacher-directed professional development day or issue one day of back pay to all bargaining unit members. The effective date in Article 19-2 is not an ambiguity; it is the result of specific bargaining regarding the 2025-2026 calendar. Because the



contract does not mandate this change to the 2025-2026 calendar, there is no contractual basis for the requested relief.

### **Historical Context and Legal Framework for Work Stoppages**

The Illinois Educational Labor Relations Board (IELRB) has established that Illinois educational employees do not have a common law right to strike. Under the Illinois Educational Labor Relations Act (IELRA), a strike is only legal if specific statutory conditions are met. Section 13(b)(4) prohibits strikes unless the collective bargaining agreement has expired or been terminated. Because the District is currently mid-contract with a "no-strike" clause in effect, any collective work stoppage is considered non-compliant with the Act.

Prior labor actions provide a precedent for this framework. On April 1, 2016, the CTU engaged in a one-day strike. The IELRB found "reasonable cause" to believe the strike was unlawful because it occurred before the completion of statutory requirements, such as waiting 30 days after a fact-finding report and providing a 10-day notice of intent to strike. Similarly, in March 2017, when the CTU considered a one-day strike for May 1, the District filed an unfair labor practice ("ULP") charge alleging the Union was considering an illegal strike. The IELRB previously authorized its General Counsel to seek emergency injunctions against such "abbreviated strikes," noting that one-day actions often conclude before standard legal remedies can be applied.

The IELRB has determined that the Union cannot bypass statutory strike requirements by labeling a protest as a "day of action" or "civic event".

### **Statutory Considerations**

The CTU has argued that state law supports their request. This is incorrect. The School Code, [105 ILCS 5/26-1\(8\)](#), permits only middle school and high school students to take one excused absence per school year to participate in a civic event. The statute does not authorize a district-wide non-attendance day. Rather, it allows absences that are recorded as absences, but deemed excused for a valid cause. Additionally, the statute defines "civic event" as "an event sponsored by a non-profit organization or governmental entity that is open to the public... [including]... but [ ] not limited to, an artistic or cultural performance or educational gathering that supports the mission of the sponsoring non-profit organization." It is not clear whether CTU's plans for that day would fall within that definition. Moreover, the statute is structured to provide individual students with a discretionary opportunity, rather than to mandate or designate a specific date for civic engagement.<sup>1</sup> Accordingly, designating May 1st as a civic event under the statute fails to account for student choice, for students who may have already exercised their one permitted civic engagement day earlier in the school year, and for students who are not middle or high schoolers.

### **Student Impact Data: The May 1st School Survey**

A District-wide survey of school leadership was conducted between March 27 and April 1, 2026, to assess

<sup>1</sup> Note that mandating students engage in any "civic event" could also lead to challenges under the First Amendment.



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the impact of a potential May 1st closure. Schools report a wide range of activities scheduled for May 1, including arts showcases, senior milestones, field trips, athletic events, community programming, and academic testing. These events reflect months of planning, financial commitments, and coordination with families, vendors, and community partners. Disruptions would directly affect academic testing and key student milestones, particularly for graduating seniors and 8th graders, with limited ability to recover or reschedule these experiences. The survey findings on the scheduled events and potential impacts are summarized below:

- **On-Site Impacts (113 schools):** There were a wide range of activities and events, from field trips to College Decision Day, make-up AP testing, athletic events, and other instructional and enrichment activities.
- **Off-Site Impacts (102 schools):** These include prom, Senior Night, and other milestone events for students.

#### **Financial and Operational Considerations**

- **Financial Liability:** Schools may face financial losses due to non-refundable deposits, contractual obligations, and prepayments.
- **Rescheduling Constraints:** Rescheduling is highly constrained, with only four weeks remaining in the school year and limited venue availability across the Chicagoland area in May and June.

#### **Closing**

If you have any additional questions or need further clarification, please feel free to share them with the Board Office.