



TSTA NEWS

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FOR IMMEDIATE RELEASE

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SAISD school board illegally denies teachers a public hearing over Democracy Prep grievance

San Antonio ISD has denied a teachers' union a public hearing, in violation of state law, of a grievance related to the district's decision to turn over the operation of Stewart Elementary School to the Democracy Prep charter chain.

A hearing on the grievance filed on behalf of the San Antonio Alliance of Teachers and Support Personnel is scheduled for 5:30 p.m. next Monday, March 4, before the SAISD board in executive, closed session, despite the Alliance's request for an open hearing.

"We have a right under the law to a public hearing on our grievance," said Alliance President Shelley Potter. "The school board is allowed to deny that request only to hear individual personnel or student issues. Our differences are over the district's implementation of a major change in policy, and those differences should be aired in public. Taxpayers stand to lose millions of dollars in this Democracy Prep experiment without any assurances the students at Stewart Elementary will benefit."

The Texas State Teachers Association (TSTA) filed the grievance against the school district to protect the employment rights of Stewart faculty and staff, many of whom were Alliance members at the time of the takeover. Stewart teachers who wanted to remain at the school had to resign from SAISD and reapply with Democracy Prep as "at will" employees. They were not given any assurances that their contracts with the district would be honored as required by the Texas Education Code.

TSTA and the Alliance contend that the school district violated the law when it did not consult with campus personnel or the community on options to improve academic results at the Stewart campus before reaching the agreement with Democracy Prep to convert the school to a charter.

The decision to turn over the Stewart campus to the New York-based charter chain also is being challenged in two separate lawsuits.

The first suit, which raises similar issues as the grievance, was filed by TSTA and the Texas American Federation of Teachers (AFT). The Alliance is a joint local affiliate of both state unions. A state district judge in San Antonio denied the unions' motion for a temporary injunction to block the takeover last summer but refused to dismiss the lawsuit, which is still pending.

In a separate lawsuit, which also is still pending, TSTA and Texas AFT sued Texas Education Commissioner Mike Morath for violating state law in the promotion of charter-school takeovers of struggling public-school campuses, including Stewart Elementary.

That suit, filed in state district court in Austin, challenges the commissioner's interpretation of SB1882, a state law enacted in 2017 to give school districts additional state revenue and relieve them from state sanctions if they agree to charter takeovers of campuses that have failed state accountability ratings for three consecutive years.

The unions allege that Morath violated provisions in SB1882 that were designed to protect important educational standards for children and essential employment rights for educators. In upholding the Democracy Prep takeover of Stewart, Morath ruled that the requirement for faculty and community involvement did not apply to the Stewart case because Democracy Prep is a non-profit. The unions believe that is an incorrect interpretation of SB1882.

They are seeking nullification of the district's contract with Democracy Prep and restoration of contractual rights for Stewart employees.