

TSTA have standing to file this grievance in their own right. The interests the Alliance and TSTA seek to protect are germane to their purpose. Neither the claim nor the relief requested by the Alliance and TSTA require the individual participation of its members. During the events in question, Alejandra Lopez, Karen Truelove, and Becky Wilson were employed as teachers by the San Antonio Independent School District (hereafter “Defendant”).

4. Defendant Mike Morath, Commissioner of Education, may be served at the Texas Education Agency, 1701 N. Congress Avenue, Austin, Texas 78701.

5. Defendant San Antonio ISD may be served by serving Pedro Martinez, Superintendent of Schools, San Antonio ISD, 141 Lavaca Street, San Antonio, Texas 78210.

Causes of Action

6. The Commissioner erred in holding that the notice given by the SAISD Board of Trustees for the meeting in which it directed the Superintendent to negotiate with Democracy Prep was sufficient.

7. The Commissioner erred in holding that Plaintiffs lacked standing to bring claims regarding the denial of their right to a hearing in open session at the board hearing.

8. The Commissioner erred in holding that the vote by the SAISD Board of Trustees was taken in open session. There is no record in the transcript of the hearing that the vote was taken in open session.

9. The Commissioner erred in holding that *res judicata* and *collateral estoppel* apply to Plaintiffs’ grievance.

10. The Commissioner erred in holding that Stewart Elementary School was not required to develop a turnaround plan.

11. The Commissioner erred in holding that Defendant SAISD consulted with the campus personnel of Stewart Elementary School.

12. The Commissioner erred in holding that Defendant SAISD had authority to grant a charter school without complying with the provisions of Tex. Educ. Code 11.174.

Wherefore, Plaintiffs pray that the Court enter an Order:

- 1) Granting Plaintiffs' appeal;
- 2) Specifically finding that the school district violated the school law and the Open Meetings Act, as cited above;
- 3) Declaring Defendants' approval of the charter application of Democracy Prep for P.F. Stewart Elementary school void;
- 4) Declaring that all contracts and rights of all employees who were members of the San Antonio Alliance/TSTA at P.F. Stewart Elementary be reinstated with back pay and benefits.

Granting such other and further relief to which they may be entitled.

Respectfully Submitted,

TEXAS STATE TEACHERS ASSOCIATION

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