



# TSTA NEWS

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FOR IMMEDIATE RELEASE

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## **TSTA sues San Antonio ISD, education commissioner over Democracy Prep charter takeover**

The Texas State Teachers Association has sued San Antonio ISD and state Education Commissioner Mike Morath over the commissioner's decision in 2018 allowing SAISD to turn over operations of Stewart Elementary School to Democracy Prep, a New York-based charter school chain.

The lawsuit was filed Tuesday in state district court in Austin on behalf of union members who were teachers at Stewart before the takeover. The plaintiffs include Alejandra Lopez, who now is president of the union, the San Antonio Alliance of Teachers and Support Personnel, a TSTA affiliate.

The lawsuit alleges that Morath wrongly approved the Democracy Prep deal, even though the school district had not consulted with school employees before approving the takeover, as required by state law for charter takeovers of struggling schools.

"We expect school districts and the education commissioner to obey the law," Lopez said. "The education commissioner is supposed to be the state's charter regulator, not a charter champion who ignores the rules to expand the growing charter presence in Texas, at the expense of taxpayers."

In the lawsuit, TSTA also alleges the commissioner erred in holding that the school board had complied with the Open Meetings Act when it directed the district's superintendent to negotiate with Democracy Prep. The hearing notice was insufficient, and there is no record that the board's vote to approve the charter takeover was taken in an open session. School employees also were denied their right to an open hearing before the board.

The lawsuit asks that the court declare approval of the Democracy Prep application void and declare all contracts and rights of employees who were members of the union at Stewart be reinstated with back pay and benefits.

TSTA's first grievance over the Democracy Prep case was dismissed. But the union won a court decision earlier this year that the education commissioner violated the law when he changed state charter regulations to remove a requirement that districts have to confer with campus personnel before approving charter takeovers of struggling campuses.

The Texas Education Agency has appealed that ruling by state District Judge Jan Soifer of Austin.