



TEXAS STATE TEACHERS ASSOCIATION / NATIONAL EDUCATION ASSOCIATION
NOEL CANDELARIA, PRESIDENT OVIDIA MOLINA, VICE PRESIDENT RICHARD KOURI, EXECUTIVE DIRECTOR

March 5, 2018

VIA EMAIL: pmartinez1@saisd.net
Pedro Martinez, Superintendent
San Antonio Independent School District
141 Lavaca Street
San Antonio, Texas 78210

RE: Level One Grievance
 Alejandra Lopez, Karen Truelove, Becky Wilson & all similarly-situated members of the
 San Antonio Alliance/TSTA

Dear Mr. Martinez:

Attached is a Level One Complaint filed on behalf of the above-named Grievants.

If I can provide further information, contact me at 512-476-5355 or russellr@tsta.org.

Sincerely,


Russell Ramirez
General Counsel

cc: Shelley Potter, President, San Antonio Alliance of Teachers and Support Personnel
 Philip Marzec *via email*: Pmarzec@escamillaponeck.com

SAN ANTONIO ISD
PERSONNEL-MANAGEMENT RELATIONS:
EMPLOYEE COMPLAINT/GRIEVANCES

EMPLOYEE COMPLAINT FORM – LEVEL ONE

Any employee filing a complaint must fill out this form completely and submit it to his or her principal or immediate supervisor. All complaints will be processed in accordance with DGBA (LEGAL) and (LOCAL) or any exceptions outline herein.

1. Name: Alejandra Lopez, Karen Truelove, Becky Wilson & all similarly-situated members of the San Antonio Alliance/TSTA

2. Position All Positions Campus/Department P.F. Stewart Elementary

3. Please state the date of the event or series of events causing the complaint.
January 22, 2018

4. Please state your complaint, including the individual harm alleged.


See attached

5. Please state specific facts of which you are aware to support your complaint (list in detail).

See attached

6. Please state the remedy you seek for this complaint.

See attached


Employee Signature Russell Ramirez
Attorney on behalf of the San Antonio Alliance

March 5, 2018
Date Submitted

Level I Complaint

1. On January 22, 2018, the San Antonio ISD Board of Trustees voted to direct the Superintendent to negotiate a contract with a charter school operator. The San Antonio ISD Board of Trustees did not grant approval of the application for the creation of an in-district charter school of Democracy Prep at Stewart Elementary School. This action will have a detrimental effect on the members of the Texas State Teachers Association and the students of the San Antonio ISD community.

Open Meetings Act

2. The Board of Trustees violated the Open Meetings Act by failing to discuss the “legal issues related to contracting to partner for operation of campus(es)” in open session. (Texas Government Code §551.071)
3. The Board of Trustees did not comply with the Open Meetings Act notice and posting requirements for the meeting on January 22, 2018.
4. The Board directed the Superintendent to negotiate a contract with a charter school operator. This action was not properly posted on the agenda as required by the Open Meetings Act.

Charter School Authorization

5. The SAISD Board of Trustees did not receive a petition signed by the parents of a majority of the students at P.F. Stewart Elementary School requesting a charter school as is required by Texas Education Code §12.052.
6. The SAISD Board of Trustees did not receive a petition signed by the majority of the classroom teachers at P.F. Stewart Elementary School requesting a charter school as is required by Texas Education Code §12.052.
7. The District administration has not sufficiently allowed parents, the community and stakeholders an opportunity to review and participate in the creation of the Campus Turnaround Plan before choosing to give control of the P.F. Stewart Elementary School to Democracy Prep.

Campus Intervention Team Duties

8. The campus intervention team did not conduct a public meeting with the campus principal, the members of the campus-level planning and decision-making committee established under Section 11.251 to review the campus performance rating and solicit input for the development of the targeted improvement plan. (Texas Education Code §39.106(a)(4))

9. The campus intervention team did not conduct a public meeting with the parents of students attending the campus to review the campus performance rating and solicit input for the development of the targeted improvement plan; (Texas Education Code §39.106(a)(4))
10. The campus intervention team did not conduct a public meeting with the community members residing in the district to review the campus performance rating and solicit input for the development of the targeted improvement plan; (Texas Education Code §39.106(a)(4))
11. The campus intervention team did not provide written notice of the public meeting required by Subsection (a)(4) to the parents of students attending the campus and post notice of the meeting on the Internet website of the campus. The notice must include the date, time, and place of the meeting. (Texas Education Code §39.106(a))
12. The campus intervention team did not provide an on-site needs assessment with the involvement and advice of the school community partnership team. (Texas Education Code §39.106(c))
13. The board did not conduct a hearing for the purpose of notifying the public of the insufficient performance, the improvements in performance expected by the agency, and the intervention measures or sanctions that may be imposed if the performance does not improve within a designated period at P.F. Stewart Elementary School. (Texas Education Code 39.106(e-1))
14. The administration has not demonstrated that it has sufficiently followed this required process before attempting to place Democracy Prep at the P.F. Stewart campus.

Campus Turnaround Plan:

15. Before a Campus Turnaround Plan is prepared and submitted for approval to the board of trustees of the school district, the district, in consultation with the campus intervention team, shall provide notice to parents that the campus has received an academically unacceptable performance rating for two consecutive years and will be required to submit a Campus Turnaround Plan.
16. Before a Campus Turnaround Plan is prepared and submitted for approval to the board of trustees of the school district, the district, in consultation with the campus intervention team, shall provide notice to the community that the campus has received an academically unacceptable performance rating for two consecutive years and will be required to submit a Campus Turnaround Plan.
17. Before a Campus Turnaround Plan is prepared and submitted for approval to the board of trustees of the school district, the district, in consultation with the campus intervention

team, shall provide notice to the stakeholders that the campus has received an academically unacceptable performance rating for two consecutive years and will be required to submit a Campus Turnaround Plan.

18. Before a Campus Turnaround Plan is prepared and submitted for approval to the board of trustees of the school district, the district, in consultation with the campus intervention team, shall request assistance from parents in developing the Campus Turnaround Plan.
19. Before a Campus Turnaround Plan is prepared and submitted for approval to the board of trustees of the school district, the district, in consultation with the campus intervention team, shall request assistance from the community in developing the Campus Turnaround Plan.
20. Before a Campus Turnaround Plan is prepared and submitted for approval to the board of trustees of the school district, the district, in consultation with the campus intervention team, shall request assistance from the stakeholders in developing the Campus Turnaround Plan. (Texas Education Code §39.107(a-2)(1)(2))
21. The school district, in consultation with the campus intervention team, shall prepare the Campus Turnaround Plan and allow parents, the community, and stakeholders an opportunity to review the plan before it is submitted for approval to the board of trustees of the school district. (Texas Education Code §39.107(b))
22. The plan must include details on the method for restructuring, reforming, or reconstituting the campus.

Teacher Contracts

23. The District's decision to accept the charter application at P.F. Stewart Elementary School could have a detrimental effect on the teacher contract rights at that campus. The teachers have not received any assurances that their contracts will be honored as required by Texas Education Code §11.174 (c).

Remedy

1. We request that the vote granting the in-district charter application for P.F. Stewart Elementary School be nullified.
2. We request that all contracts and the rights of all employees who are members of the San Antonio Alliance/TSTA remain unchanged at P.F. Stewart Elementary School.