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BTF / NYSUT CHALLENGE RECEIVERSHIP IN COURT

The BTF/NYSUT today, in Albany, NY, filed a legal challenge to the Receivership Laws and Regulations.

The BTF/NYSUT Challenge is based upon:

- A violation of the United States Constitution protecting against the impairment of contracts and equal protection under the law.
- Schools being designated as receivership schools based upon state tests that a Governor's task force, that included the New York State Commissioner of Education, found to be so flawed that they cannot be used to evaluate students or teachers until 2019.
- A discussion with the Commissioner and School Board prior to the District's submission to the Commissioner wherein she states "so your request would be fast-tracked into my office and I would review it, talk to you, see what had to be done and make a decision".
- That the district's submission relating to changing starting and ending times, additional faculty meetings, teacher transfers, extended school days had none of the required documentation as to how said changes would improve student performance.
- The Commissioner's and Superintendent's refusal to consider the BTF proposals to lower class sizes.
- The refusal of the Commissioner and Superintendent to provide information relating to the make-up of each school's Community Engagement Team ("CET") and copies of the actual school plans.
- Actions that, in violation of law and regulations, would adversely impact on non-receivership schools and teachers.
- The assumption that the contract is a problem when the same contract is in force at City Honors School and other schools not identified as Receivership schools.
- The granting of proposals that the Superintendent is currently seeking in current contract talks.

"This is not just about our contract. This is about mislabeling schools, students and teachers based on tests that a task force on which the Commissioner participated were found to be so flawed that they can't be used to evaluate students or teachers until 2019. It is also about a Superintendent and Commissioner denying our proposals that will really help teachers teach and students learn such as lower class sizes.

This is obviously not about improving our students' education but attacking teachers and looking for other people to blame for their own failure to improve our students' education", stated BTF President, Philip Rumore.

(See complete filing on BTF website www.btfny.org under News/Alerts – 02-09-2016)