



United Federation of Teachers
A Union of Professionals



UFT ACTS

Alliance of Charter Teachers and Staff

CHARTER VOICE

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www.uftacts.org

UFT wins reinstatement for fired Merrick teacher unionists

The UFT and Merrick Academy Charter School on Sept. 2 reached an agreement in the case of 11 staff members dismissed this summer by the school. The UFT charged that Merrick had fired the workers — who make up approximately one-third of the professional staff of the school — for union activity, which is illegal under state labor law. The union had asked the state's Public Employment Relations Board (PERB) to order Merrick to rehire the fired staffers.

Under the terms of the agreement the UFT obtained the reinstatement of the teachers who wished to return to Merrick this fall. They were reinstated at their old salaries. Other teachers and staff have had their cases resolved to their satisfaction. Further details of the settlement remain confidential.

UFT President Michael Mulgrew said, "Teachers have a right to organize and bargain collectively, and we are happy to have confirmed that right for Merrick's staff."

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Reactions from Merrick teachers and parents

" I think it is great that we're back – it gives us a chance to do what we do as professionals and educate our children. You always have to put the children first. "

Euly Risi, teacher



" I'm very happy to be back for the children and looking forward to a positive year. I want to thank all the parents and the union for their support and help. "

Marjorie Berry, teacher



" I'm happy that the teachers are going back. They've been there a long time and I'm happy to have them there. It makes me feel secure as a parent that they are back. If none of them had gone back, I would have a sadness in my heart. But now I feel like a winner. "

Marise Doll, parent

Harlem charter is latest to go union

Teachers and staff at the Sisulu-Walker Charter School of Harlem announced on Oct. 21 that they have decided to join the UFT.

Of the 28 teachers and other pedagogical staff at the school, 27 have signed union authorization cards to indicate their support for creating a UFT chapter at the school.

In letters given to the school's principal and Board of Trustees, the teachers' organizing committee explained that they were seeking "recognition of the teaching and professional staff as respected partners" in carrying out Sisulu Walker's educational mission and expressed a "sincere hope" that both the principal and the trustees would "react positively to our decision, acknowledging the benefits of a strong and stable staff and committing to work with us through the remaining steps of this process."

"We took this step to ensure that classroom teachers will have a real, professional voice in the decisions that affect the quality of our students' education," said Shaquira De La Cruz.

Doris Fleming said, "I'm proud to join with my colleagues in seeking to guarantee the collaborative working conditions that we need to make Sisulu-Walker an excellent learning environment for the kids."

Cruz and Fleming are both teachers at the school.

The Sisulu-Walker Charter School of Harlem opened in

the fall of 1999, as one of the first three charter schools in New York State. It currently serves approximately 250 students in grades K through 5. It is run by Victory Schools, a for-profit educational management company based in New York City.

New York's new charter law: The right way to expand charters

Passed in May 2010 with the support of the UFT, New York State's new charter school law allows charter schools to expand in the state while ensuring that they are both accountable and effective.

The law raises the cap on the number of charter schools in the state from 200 to 460 and allows 114 new charter schools to open in New York City.

At the same time, it includes several common-sense provisions to make sure that both new schools and existing

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The case began this summer when the 11 staffers were fired — with no warning — by FedEx letters sent to their homes. The UFT asked PERB to seek a preliminary injunction requiring the reinstatement of the fired staffers. PERB then sought a court order requiring their reinstatement.

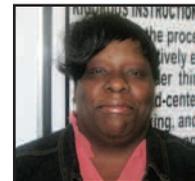
PERB's request for an injunction was heard in Albany County Supreme Court by Judge Eugene Devine. As part of the settlement, PERB has withdrawn its court action against Merrick.

Merrick's employees voted to join the UFT in 2007 and PERB certified the UFT as their bargaining agent in

March 2008. After repeated fruitless attempts to negotiate a contract, the UFT filed for a declaration of impasse with PERB in December 2009 and five mediation sessions have taken place as part of the process that followed the impasse declaration.

Merrick Academy is administered by Victory Schools, a for-profit operator, which charges Merrick \$1.36 million in fees per year, more than 21 percent of the school's total budget. Victory Management operates a total of six schools in New York City, which together pay \$4.41 million in fees per year.

“ I'm very happy that the teachers were reinstated and that the school board and union came to a mutual agreement. It was the right thing for the school to do, especially for a teacher like Ms. Berry, who was a founding teacher at Merrick. So I'm very happy about the outcome. ”

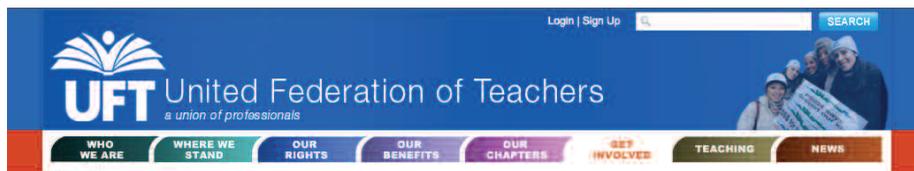


Roxanne Telesford, parent

“ Merrick was such a big part of my life. I felt not whole when I wasn't there. Now I feel happy again. Back to work, back to Merrick, and back to my kids! ”



Christine Celli, teacher



CHECK OUT THE UFT'S NEW WEBSITE AT WWW.UFT.ORG!

Know your rights: Your right to organize and what management *can't* do about it

As public employees, New York City charter school teachers are covered by New York State's Public Employees Fair Employment Act, better known as the Taylor Law. Enacted in 1967, this comprehensive statute guarantees public employees the right to be represented by a union. And it guarantees them certain protections when they are organizing for such representation.

It is extremely important that charter teachers organizing for union representation are aware of their rights during an organizing campaign — and of the limitations on what their employer may do in response to their union activity. Teachers' organizing rights were reviewed in the spring issue of *Charter Voice*; in this issue, we look at the limitations on the employer.

During an organizing campaign, management is prohibited from taking certain actions. **Bottom line: management cannot threaten employees with loss of jobs or benefits if they join or vote for a union.** Management also cannot...

- ask you whether you have signed a union card, how you will vote in a union election or what happened at a union meeting
- tell you that existing benefits will be discontinued if you are unionized
- create working conditions intended to get rid of a union supporter
- discriminate against workers because of union sympathies or activities
- coerce you in an attempt to influence your vote
- engage in surveillance or spy on union gatherings
- promise employees promotions, raises or other benefits if they don't join the union.

All of these activities are **illegal** under the Taylor Law. If the management at your school engages in any of the activities listed above, you should document the incident thoroughly and give the report to an organizing committee member from your school or call the UFT ACTS hotline at 212-510-6464.

If you are not sure if an incident violates the law, document it anyway.

New York's charter law...continued from page 1

charters serve all of New York City's students and their communities. The State Education Department will now provide more oversight over charter school lotteries and will design a standard state-wide application for admission. Charter schools will be required to translate this application into all the languages spoken in their respective neighborhoods, to do community outreach and to create parent associations or parent-teacher associations.

The new law also requires all charter schools to develop a plan to recruit and retain students with special education needs, English language learners and those who receive free or reduced-price lunch in proportions similar to those at their local district schools.

Finally, in co-located schools, any improvements to the charter school that are worth over \$5,000 must be matched at the district school, and charter schools in private space must ensure that their buildings meet district building codes regarding health and safety. And for-profit companies can no longer be listed as managers or operators of new charter schools, although they can still sign contracts to provide services to the schools.

The view from the classroom



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Reagan Fletcher is a seventh-year music teacher now in her third year at the Bronx Academy of Promise Charter School, a K-4 school that organized to join the UFT in March.

Q: Why did you decide to become a charter teacher?

A: I had an opportunity to start a music program in a brand new school and that afforded me some freedom that I didn't have working in an established district school. For example, as my students get older, I don't have to have a traditional band setting. I can have different ensembles that cater to my students' interests. So essentially I can build the program around the size of the school and the community we're in and it is very exciting.

Charter schools are a really interesting place to be right now because of all of the media and politics surrounding them. I'm kind of into the charter school debate and I think charter schools could play a vital role in education reform as long as we're focusing on the students and not on profit.

Q: How has the union made a difference for your school?

A: Now that we have a union we know that we have each other and we can face any of our challenges together. We're looking forward to a productive partnership with our administration and our board now that we have a collective voice. Once we have our contract, we expect to have mutual accountability so that there is accountability for our actions and our progress in helping our

students. But there will also be accountability for our administration and for the policies they set that affect our children and our teachers' professional workday.

It is exciting that we get to write our contract and to be at the beginnings of our union – to form our school's union – even though we are also part of the UFT and AFT. Our contract doesn't have to be as bulky as a DOE contract and we can tailor it to our school's specific needs.

Everybody who supported the union passed a litmus test. I can now be 100 percent confident that my coworkers follow through on their commitments and have my back during anything that will come our way. I've never been more proud to work with anyone as I am to work with this group of teachers.

Q: What would you say to your colleagues in non-union charter schools about the union?

A: I would say that if you desire to have a voice in how your school is run, the best way to do that is by forming a union because there is strength in numbers and in people supporting each other and working together.

In union charter schools, we get to write our contracts specifically to meet our schools' needs and our needs as teachers. Most teachers – district or charter – don't get to do that.

Teaching for social justice – PD series for charter educators

Sign up today for a union-sponsored series of professional development workshops on the subject of "Teaching for social justice: Charter school per-

spectives." All sessions begin at 9 a.m. and are held in Shanker Hall on the second floor at the UFT's 52 Broadway headquarters. A light breakfast and lunch will be provided. Register online at www.uft.org/courses or www.uftacts.org (under Tools for Teaching). Registration is free.

- Nov. 20: Keeping Authentic Educa-

tion Alive in the Age of Standardized Tests

- Dec. 11: Action Research – Inquiry into Teaching and Learning
- Jan. 29: Bridging the Achievement Gap
- March 12: Trust and Community: the Foundation of a Good School

Negotiation Updates

Three UFT-represented charter schools are now in the midst of negotiations for their first contracts. While we cannot provide great detail on these negotiations, we are pleased to report that all are moving ahead.

New York City Charter High School for Architecture, Engineering and Construction Industries

Teachers at AECI organized to form a union in January and have been working toward a first contract ever

since. Negotiations between the union and school board are proceeding smoothly at AECI, with many proposals already hammered out and approved. The two sides held their most recent negotiating sessions on Sept. 27, Oct. 21 and Oct. 28.

Bronx Academy of Promise Charter School

Four months after receiving voluntary recognition of their union, teachers at BAOP held their third negotiating session with school administrators on Oct. 19. The two sides have laid the

groundwork to proceed toward a first contract in a positive and productive manner.

Merrick Academy Charter School

Having reached a landmark agreement with the UFT in the case of 11 staff members dismissed from the school this summer (see story on page 1), Merrick Academy's board returned to PERB-sponsored mediation with the union on Nov. 1. A second mediation session is scheduled for Nov. 8. Two major issues, both economic in nature, remain outstanding.

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Committed to “the best learning environment,” the staff at the Sisulu-Walker Charter School wants collaborative working conditions to ensure quality education; 27 out of 28 teachers and staff signed union cards.

UFT wins reinstatement for fired Merrick teacher unionists – p. 1



A settlement was reached and teachers are happy to be back and have the “chance to do what we do,” teach children.

New York State’s new charter law – p. 2



An expanded charter cap and some reforms to ensure that charters serve all of our city’s children.

Mutual accountability – p. 3



“Now that we have a union we know that we have each other and we can face any of our challenges together,” says Reagan Fletcher of the Bronx Academy of Promise. “I’ve never been more proud to work with anyone as I am to work with this group of teachers.”



The Charter Voice

A newsletter by, for and about New York City charter school educators, produced by the United Federation of Teachers Alliance of Charter Teachers and Staff (UFT ACTS).

We believe that schools work best when educators are respected and when they are included in program and policy planning.

We believe collaboration and communication are most successfully achieved when educators are organized and have the collective power of a union. We believe our union can help you do your job and help your school reach its goals. If you are interested in learning more, call our confidential hotline.

www.uffacts.org
212-510-6464
confidential hotline



“Fitting into the grand scheme of things”



Charter educators gathered to discuss the past school year and the current one at the most recent President’s Council meeting. “We’re interested in seeing how charter schools fit into the grand scheme of New York teachers,” said Abeku Hayes (at left), an ELA teacher at Future Leaders Institute in Manhattan. With Hayes: Sarah Taglioni, Kara Brockett and Leah Socash.



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