

Teachers unionize at charter school, a first for Mass. The Boston Globe

Possible setback for state unit

By James Vaznis, Globe Staff | November 26, 2008

In between violin and voice lessons, teachers at the Conservatory Lab Charter School in Brighton have organized into a union, the first-ever at a Massachusetts charter school.

The decision by the 20 teachers at this small elementary school is considered significant in the state's 15-year-old charter movement, which was based, in part, on allowing administrators to pursue innovative teaching methods without union intervention.

The Conservatory Lab teachers will be tapping a formidable partner as they negotiate their first contract: the American Federation of Teachers Massachusetts. The federation, which also represents the powerful Boston Teachers Union, is one of the state's staunchest critics of charter schools.

"We don't want to stand in the way of innovation, but it's important that it is done with teachers and not to teachers," said Tom Gosnell, the federation's state president. "Unionizing will enable these teachers to have a more persuasive voice in what is best educationally for their students. . . . I know the faculty there now likes the school a great deal, and they are interested in the school achieving and doing well."

The change comes at a perilous time for the movement, under a governor who does not support expanding the number of charters beyond the state-imposed cap and is seeking to create an alternative to the charter school model.

The state's charter school association yesterday downplayed the latest development, characterizing it as an isolated incident at a school plagued with high turnover among its administrators and faculty.

Nevertheless, the association acknowledged the development could represent a major setback for its movement if teachers at other charter schools unionize too. The association contends that popular union contract work rules - governing everything from length of school day to employee termination procedures - strangles educational creativity, leaving administrators with less flexibility, especially when they want to quickly execute new programs or institute new policies.

"The big question on the table is, what is the motive of the [federation of teachers] . . . is this an attempt to kill charter schools?" asked Marc Kenen, executive director of the Massachusetts Charter Public School Association.

If so, Kenen predicts they will not succeed: "Generally, charter school teachers join charter schools

because they don't want to work in a unionized atmosphere."

The Legislature approved the creation of charter schools in 1993 as a promising free alternative for families dissatisfied with traditional public schools.

Charters generally have operated free not only of union regulations, but state regulations governing teacher certification. Charter schools also do not report to local school districts, which advocates believe eliminates another layer of bureaucracy that could hinder creativity.

Instead, the schools are run by autonomous boards of trustees who report directly to the state. Several charter schools are among the top academic performers in the state.

Charters, however, have been marred with controversy since the inception, much of it because of union and district concerns about student recruitment and finances. When students leave a traditional school system, they take thousands of dollars in state education aid to the charter school. Boston, for instance, is losing roughly \$45 million in state aid this year.

The federation has been aggressively pursuing charter school teachers to unionize for more than two years. Officials say the teachers would reap benefits of an equitable pay scale more generous than most charter schools as well as gaining greater job security.

Charter schools generally operate under a merit pay system that rewards outstanding employees with bonuses and higher pay. Massachusetts teachers unions have fiercely resisted such a system, in which seasoned teachers could be paid less than newcomers, arguing that it could create a climate of favoritism.

About 95 percent of the Conservatory teachers, well above the necessary 60 percent set by state law, endorsed forming a union by signing individual authorization cards. The state Division of Labor Relations certified the action last month.

Part of the motivation of teachers was to bring some stability to a school with high administrative and staffing turnover, state federation officials said. The school's union leaders could not be reached for comment yesterday.

The nine-year-old school - where music is used as a teaching tool in all subjects and all students receive violins - has had four heads of school. The most recent leader, Diana Lam, a former Chelsea school superintendent, joined the school in August.

The unionization effort surprised school trustees, who did not find out about it until September after teachers made their decision. "That's not to say we were not aware that teachers had issues," said Stephanie Perrin, chairwoman of the trustees. The teachers have raised reasonable concerns in the past, she said, often centering around pay and health insurance.

She also acknowledged that friction existed between some faculty and administrators.

"They have every right to unionize and . . . support their best interests," Perrin said. But "we have a responsibility to not only support their interests but those of the school's families and students."

Perrin said she worries the teachers will seek a contract with so many work rule restrictions that it would not allow for enough freedom for the school to run as a charter.

The unionization comes as the once-robust charter school movement faces an uncertain future. Governor Deval Patrick prefers trying a new kind of school that would be similar to charter schools but would be overseen by local school districts. The so-called "readiness" schools would typically be staffed by union members, although their negotiations would be restricted to only wages, benefits, and due process during dismissal procedures. The intent is to defuse some of the controversy surrounding charter schools while continuing to promote innovation, but the idea will probably require legislative approval.

Gosnell, of the teacher federation, said his group remains interested in organizing other charter schools, but will focus its attention right now at the Conservatory.

Paul Grogan, president of the Boston Foundation and a longtime charter school supporter, said he is interested to see if the union changes its negotiating approach for charter schools.

"The unions have been very hostile to charter schools," Grogan said. "Will there be a good faith effort to achieve a contract that is consistent to what charter schools are?" ■