

UTNO RESOLUTION 22-01

In Support of SB 404, a Bill to Expand OPSB's Authority Relative to Its Charter Schools

WHEREAS, the Louisiana legislature created the Recovery School District (RSD) in 2003¹ to receive control of chronically failing schools, in order to improve them and then return them to local control once they were improved; and

WHEREAS, on October 28, 2005, Governor Kathleen Blanco issued executive order KBB 05-79², which suspended democratic provisions in charter school law that required approval by both professional faculty and staff of a district-run public school and also the parents or guardians of children enrolled in the school to convert it into a charter school; and

WHEREAS, control of the vast majority of New Orleans public schools were taken away from the democratically elected Orleans Parish School Board (OPSB) and transferred to the RSD on November 30, 2005, as a result of the shamefully opportunistic Act 35³, which was passed during an extraordinary session of the Louisiana Legislature in the aftermath of Hurricanes Katrina and Rita; and

WHEREAS, the RSD worked diligently to effectively privatize—either through closure, conversion to charter, or by approving new charters—all the schools it controlled; and

WHEREAS, the RSD in New Orleans made history in the fall of 2015 as the United States' first all-charter system⁴; and

WHEREAS, in 2016, several competing bills vied for passage in the Louisiana legislature⁵ to map out a plan to return the schools under the RSD's control—regardless of whether they were considered failing according to their school performance scores—to the OPSB;

WHEREAS, the bill authored by Karen Carter-Peterson, which came to be known as Act 91⁶ when it became law, ensured that when schools were transferred back to the OPSB, board members would require a supermajority to override their superintendent and the superintendent would have very little direct control over OPSB's charter schools; and

¹ "ACT No. 9 - Louisiana State Legislature." <https://legis.la.gov/Legis/ViewDocument.aspx?d=818240>. Accessed 3 May. 2022.

² "CONTENTS November 2005." 12 Nov. 2005, <https://www.doa.la.gov/media/muchzkg1/0511.pdf>. Accessed 3 May. 2022.

³ "ACT No. 35 - Louisiana State Legislature." <http://www.legis.la.gov/legis/ViewDocument.aspx?d=329650>. Accessed 3 May. 2022.

⁴ "The permanent, dwindling Recovery School District - NOLA.com." 14 Dec. 2013, https://www.nola.com/news/education/article_f28c7b3a-04c8-5116-b8ba-77300ce21d27.html. Accessed 3 May. 2022.

⁵ "Time is "now" for return of New Orleans schools to local control" 20 Apr. 2016, <https://midcitymessenger.com/2016/04/20/school-unification-forum-hosted-by-100-black-men-of-metro-new-orleans/>. Accessed 3 May. 2022.

⁶ "ACT No. 91 - Louisiana State Legislature." <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1003434>. Accessed 3 May. 2022.

WHEREAS, oversight of RSD's New Orleans schools was transferred to OPSB, effective July 1, 2018; and

WHEREAS, New Orleans transferred operation of its last direct-run school to a charter operator on July 1, 2019—in spite of organized opposition—thus completing the privatization of every public school in the city⁷; and

WHEREAS, on June 4, 2021, Act 93⁸, authored by Louisiana state senator Dr. Joseph Bouie, increased the power of the democratically elected OPSB by removing the requirement for a supermajority to override its superintendent, and instead requiring only a simple majority, as in every other democratically elected school board in Louisiana; and

WHEREAS, on March 28, 2022, during the regular session of the Louisiana legislature, Dr. Bouie introduced SB 404⁹, a bill which would further increase the authority of the democratically elected OPSB by allowing it to decide whether a charter school would receive full or partial operational autonomy at the time of its contract; and

WHEREAS, on April 26, 2022, the OPSB held an emergency meeting in order to pass a resolution opposing SB 404¹⁰:

RESOLVED, that the United Teachers of New Orleans, AFT Local 527 (UTNO), supports efforts to restore public, democratic oversight of New Orleans schools; and

RESOLVED, that UTNO therefore supports SB 404 as written; and

RESOLVED, that UTNO stands in solidarity with individuals and organizations working to see the passage of SB 404 during the 2022 regular session of the Louisiana legislature, in spite of the opposition of OPSB's current board members.

ADOPTED on the 5th of May, 2022, by vote of the Executive Council of AFT Local 527.

⁷ "New Orleans becomes first major American city without traditional" 1 Jul. 2019, <https://thelensnola.org/2019/07/01/new-orleans-becomes-first-major-american-city-without-traditional-schools/>. Accessed 4 May. 2022.

⁸ "ACT No. 93 - Louisiana State Legislature." <https://legis.la.gov/legis/ViewDocument.aspx?d=1232790>. Accessed 3 May. 2022.

⁹ "SLS 22RS-613 ORIGINAL 2022 Regular Session SENATE BILL NO" <https://www.legis.la.gov/Legis/ViewDocument.aspx?d=1262936>. Accessed 3 May. 2022.

¹⁰ "ORLEANS PARISH SCHOOL BOARD RESOLUTION NO. 08-22" [https://go.boarddocs.com/la/nops/Board.nsf/files/CDUT7Q7604B8/\\$file/RESOLUTION%2008-22.pdf](https://go.boarddocs.com/la/nops/Board.nsf/files/CDUT7Q7604B8/$file/RESOLUTION%2008-22.pdf). Accessed 3 May. 2022.