

Chicago Teachers Union files lawsuit alleging school closings are racist

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With the Chicago Public Schools (CPS) Board of Education scheduled to cast a final vote to approve the closure of 54 schools on May 22, the Chicago Teachers Union (CTU) has filed a pair of federal lawsuits, with the ostensible aim of either delaying or halting the closures. In reality, the lawsuits are an attempt to divert widespread anger at the closures into an impotent court battle, where it can be dissipated, completely in line with similar lawsuits the union has filed in the past.

The two lawsuits, filed on behalf of parents of CPS students whose children will be affected by the closings, both allege that the school closures violate the Americans with Disabilities Act due to the impact the shuttering of schools will have on special education students. One of them also charges that CPS is violating the Illinois Civil Rights Act by approving a plan that disproportionately affects black students.

The first lawsuit seeks to delay implementation of the closure plan for at least a year, arguing that the speed with which the closures would be implemented—closures and transfers of students are to be carried out by the start of classes in the fall—violates students' rights by not permitting a "timely and orderly process" for review or revision of Individualized Education Programs (IEPs) for an estimated 5,000 special education students affected by the closures.

The second lawsuit is divided into two counts. The first seeks to halt school closures indefinitely because special education students would "suffer academic, developmental and emotional setbacks" as a result, and would be at a higher safety risk. The second count of this lawsuit asserts that the closure plan violates the Illinois Civil Rights Act because out of the 16,059 students affected, 88 percent are black, even though they make up only 42 percent of CPS students, while only 125 affected students are white.

This is of a piece with the rhetoric of the CTU and International Socialist Organization (ISO), which have repeatedly sought to paint the decision to close schools as racist, even pointing to the many schools named after notable black figures that will be closed as evidence. By promoting such reactionary politics, the CTU and ISO are seeking to conceal the *class* character of the school closing policy. In doing so, they function on behalf of the Democratic Party to divide the working class and block a unified struggle against Obama and Mayor Rahm Emanuel's attack on public education.

According to the twisted logic of these pseudo-lefts it would be preferable to close schools in neighborhoods with a higher proportion of white people!

If minority neighborhoods are being hardest hit it is because Emanuel is following the policy of Democratic mayors in Washington, DC, Philadelphia, Detroit and other cities, which are targeting the poorest neighborhoods for school closings. Taking their lead from the Obama administration they are using the devastating conditions in these areas as an excuse to declare the schools and the teachers in them as "failing" students. Then these schools are handed over to private for-profit charter operators.

The attack on public education is affecting every section of working people, irrespective of the race, religion, or nationality of the students affected. A recent telephone poll conducted by the *Chicago Tribune* revealed widespread hostility to Emanuel's education policy. Nearly 6 in 10 of all those surveyed disapproved of Emanuel's plan to close schools, while only one in three approved. When broken down by income, 7 in 10 of those making less than \$50,000 per year disapproved of Emanuel's policies. When teachers went on strike last year, they enjoyed immense support among the city's working class, who understood that

there were broader issues at stake than just the teachers' contract.

When the teachers were engaged in a struggle that had the potential to develop into a far wider political struggle against the Emanuel administration, the CTU did everything it could to shut down the real fight developing to defend public education as soon as possible. CTU leaders pushed to end the strike after only a week and then signed a contract, which paved the way for the firing of more teachers and opened the door for the mass school closings.

As the leaders of the CTU have repeatedly made clear, they are not opposed to school closures. Rather, they only want to make sure it is done in an orderly way, so it doesn't produce social revolt. As CTU President Karen Lewis told the *Chicago Tribune* on September 12 during the strike last year: "We understand the whole movement of closing schools and doing it aggressively...we either do this together in some reasonable way or we will always be fighting."

Meanwhile, behind the scenes, the CTU was negotiating for what it really wanted: a piece of the action from the closing of public schools and their transformation into charters. Low-paid and brutally exploited teachers at 13 UNO charter schools will now be paying dues to the Chicago Alliance of Charter Teachers and Staff (ACTS), like the CTU an affiliate of the American Federation of Teachers.

The lawsuits, like the protests the CTU and ISO are involved in, only a cover for their betrayal of teachers and the working class. The lawsuits will do nothing. A judge recently threw out a similar suit by the teachers union in Washington, DC, charging that the school closings in that city were racist.

While it is unquestionable that the closures of schools will have a harmful effect on many students in special education, the fact is the political establishment is attacking these students as well. Over the past few months, the Illinois State Board of Education has worked on implementing sweeping changes to special education that would end all mandated limits on class sizes.

The CTU has a history of using lawsuits to dissipate teacher anger over layoffs. A previous lawsuit filed by the CTU charging that CPS unlawfully laid off tenured teachers in 2010 was eventually upheld by a panel of the 7th Circuit Court of Appeals, but the court's ruling

made no provision for reinstatement or back pay, and many of those teachers—how many is unclear—are still without jobs in CPS.

In late December 2012, the CTU filed a second lawsuit related to teacher layoffs, claiming that the school closures and ongoing turnarounds were racist because they disproportionately affected black teachers and staff.

The obsessive promotion of racial politics by the ISO underscores the anti-working class character of this organization, which has long collaborated with black big-business politicians such as Jesse Jackson and his Rainbow Coalition. In doing this they speak not for the interests of minority workers and youth but the corrupt upper middle-class and wealthy black entrepreneurs and Democratic Party politicians. The lawsuit filed by its supporters in the CTU only underscores once again that the ISO is nothing more than an adjunct of the capitalist political establishment.



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