

Education “reform” group to file lawsuit against teacher tenure in New York State

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A corporate-backed education “reform” organization called the Partnership for Educational Justice is preparing to file a lawsuit challenging New York state tenure and seniority laws for teachers.

The filing follows the recent ruling in California in the case of *Vergara v. California*, in which Los Angeles Superior Court Judge Rolf M. Treu annulled that state’s laws on tenure, dismissal and seniority. According to Treu, seniority and tenure laws disproportionately affect poor and minority students and are therefore unconstitutional under California law.

The figures behind the New York lawsuit plan to use a similar strategy, claiming the tenure laws violate the right to a “sound, basic education” in the New York state constitution. The group plans to use six families of public school students from across the state as poster-children for the attack on tenure.

One of the families, headed by John and Clara Williams, reside in Rochester, NY. In 2012 their daughter, Jada Williams, wrote a school book review of *The Autobiography of Frederick Douglass* in which she criticized the conditions and poor learning environment in Rochester public schools.

In the essay Williams wrote, “When I find myself sitting in a crowded classroom where no real instruction is taking place I can say history does repeat itself. I feel like not much has changed. Just different people. Different era. The same old discrimination still resides in the hearts of the white man.”

Williams’ family claimed her teachers, who circulated the essay among themselves, then discriminated against her. The press focused on the racial elements of the story and used it to further attack the institution of public education. No discussion took place on the deplorable social and educational

conditions that affect both teachers and students in Rochester that Williams criticized. Williams and her family were subsequently embraced by right-wing elements such as Glenn Beck and are now again cynically being used to further an attack on public education in Rochester and elsewhere.

As in California, the backers of the lawsuit in New York consist of long-time political operators and business executives.

The Partnership for Educational Justice is headed by former CNN anchor Campbell Brown. Brown was born into a politically connected family as the daughter of James Harvey “Jim” Brown Jr., a former Democratic Louisiana State Senator and Secretary of State.

In 2006 Brown married Daniel Samuel Senor, a former investment banker with the Carlyle Group. Senor also previously served as the chief spokesperson of the United States’ Provisional Authority in Iraq. Afterward Senor went on to serve as a foreign policy adviser to the Mitt Romney campaign in 2012. Senor currently sits on the board of StudentsFirst NY, an education privatization lobbying group headed by former right-wing Washington, DC school chancellor Michelle Rhee.

Brown has previously served as the head for another education “reform” group called the Parents Transparency Project, which was similarly founded to attack teacher tenure and dismissal laws and create even more miserable working conditions for teachers. During the most recent New York City Democratic mayoral primary, the group spent \$100,000 on a television ad demanding that candidates “stand up” to the city’s teachers’ unions.

Brown has so far refused to reveal the sources of the funding for her organization, which was founded in December of 2013. The organization plans to file for

non-profit status, which will allow it to keep its donor identities secret like her previous outfit, the Parents Transparency Project. *The Wall Street Journal* reported that David Welch, the California billionaire who bankrolled *Vergara vs. California* met with Brown and another “30 people” at a meeting in April in Brown’s apartment. The names of the other 30 people in the meeting were not revealed. Welch is most likely financially backing the legal costs for the case in New York as he did in California.

Jay Lefkowitz, of Kirkland and Ellis LLP plans to represent the plaintiffs in the case pro bono. Lefkowitz previously served as general counsel in the Office of Management and Budget as director of domestic policy during the George W. Bush administration. In an interview Campbell said Lefkowitz’s devotion to the case is “extraordinary.”

Michael Mulgrew, president of the United Federation of Teachers in New York City responded to the lawsuit with prostration, “It is a shame so many so-called ‘reformers’ can’t find a way to do something that would actually help students, teachers and schools.” Mulgrew also said that the state’s teachers unions had taken note of the case’s outcome and were preparing themselves “legally” for a similar lawsuit in New York. No mention was made of mobilizing teachers themselves against the lawsuit.

As the WSWS has reported, the outcome of the California case marks a milestone in the ongoing drive by the ruling class to destroy public education and turn it into a for-profit industry, currently valued at \$500 billion. The attack on tenure laws will allow for the firing of more experienced better-paid teachers and the hiring of less-experienced lower-paid teachers from which more profit can be extracted under worse conditions.



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