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Charter Schools Weigh Freedom Against the Protection of a Union

By [JENNIFER MEDINA](#)

After months of soul-searching, Kashi Nelson left her career as an assistant principal in North Carolina at the start of 2008 to teach seventh- and eighth-grade social studies at a Brooklyn [charter school](#), convinced that the freedom to innovate would translate into better education for students.

But within a year, she began to feel that the school's independence had created its own frustrations for teachers: suddenly, for example, they were required to attend staff development days but they were not allowed to ask questions; they had to submit daily lesson plans but did not get any feedback.

So this spring Ms. Nelson, 39, once skeptical about unions, helped lead an effort to unionize the teachers at the school, KIPP AMP, thinking that a contract would provide a clearer idea of expectations and consequences.

But now, with the state's labor board scheduled to vote Wednesday on whether to certify a union at the school, Ms. Nelson has changed her mind again, withdrawing her support from a unionization drive that she says is proving to be a distraction and more about power than children.

"I am a teacher and I can't waste energy — all I want to do is make the school better," she said in an interview. "I saw early on that the union was not, in my opinion, looking to have amicable conversations with the administration. We were being encouraged to be even more miserable, and if I can avoid misery, I want to do that."

Ms. Nelson's shift from union skeptic to supporter and back again provides a glimpse of the complicated and tense dance between charter schools and unions unfolding across the country.

As the number of charter schools in New York City and elsewhere swells, unions have become increasingly aggressive in trying to organize their teachers. These two major forces in education politics, having long faced off in ideological opposition, have begun in some places to enter tentative and cautious partnerships, and in others to engage in fierce combat. New York City's teachers' union now runs two charter schools in Brooklyn and workers have organized at many more, including more than a dozen across New York State.

Some of the most adamant supporters of charter schools say that the teachers' union is simply trying to stymie their growth by increasing the regulations on their operation; union leaders, on the other hand, say they are just trying to ensure that teachers are given fair pay and clear guidelines for how and why they could be dismissed.

"All these teachers want to do is to create a better school," said [Randi Weingarten](#), who is president of both

the New York union, the [United Federation of Teachers](#), and its national parent, the [American Federation of Teachers](#). “Most of the time individuals do not have power, but through collective action that is legally allowed, it creates a group power.”

KIPP AMP, a middle school in Crown Heights, is part of the [Knowledge Is Power Program](#) network, one of the most successful and influential charter groups in the nation. There are three other KIPP schools in New York City: KIPP Academy in the South Bronx; KIPP Infinity, on West 133rd Street in Manhattan, and KIPP Star, on West 123rd Street. KIPP teachers generally earn at least \$10,000 more a year than their counterparts at the city’s traditional public schools, but also typically work longer and more often than other teachers, from 7:15 a.m. to 5 p.m. Monday through Friday and one or two Saturdays a month.

Ms. Nelson, who grew up near the school, and 14 other teachers, out of a total of 22, signed cards in January saying they wanted to unionize.

Besides concerns about the sudden changes in protocol for lesson plans and development days, teachers complained that they did not get advance notice of staff meetings and that an ad-hoc, individualized approach to time off and scheduling had been replaced by written policies that docked pay after three sick days or personal days.

“There was this sudden rigidity for the sake of being rigid that just made no sense to me,” Ms. Nelson said. “It seemed like everyone was uncomfortable with being questioned. I think it stemmed from people wanting to make sure they looked good, and so any time someone asked something, the answer would be ‘We need to talk offline about that.’ ”

Such practices have long raised eyebrows among union supporters worried that charter schools take advantage of young rookies, whose boundless energy fuels them for a couple of years of long hours at low pay but quickly turns into bitter burnout.

Ms. Nelson and a few others attended hours of union meetings throughout the fall and persuaded reluctant colleagues at KIPP AMP to join them.

David Levin, a founder of the KIPP network and the superintendent for its four New York City schools, was caught off guard. Although Ms. Nelson and other teachers had gone to the school administrators to complain, none of their concerns had made it to Mr. Levin, who is working to open nine new KIPP schools in the city over the next several years.

“Nobody reached out to me or pursued our own processes for how to address issues,” Mr. Levin said. “It’s clear to me that there was obviously a breakdown in communications at some point and the union proffered themselves as a way to address that.”

The teachers at two other KIPP schools, Academy and Infinity, were technically already part of the union, because of a quirk in state law, but paid little attention to the union’s rules or contract. Amid the growing tension at KIPP AMP, teachers at these schools quickly met and decided to pull out of the union, though legal hurdles could stretch the process out for months.

“We were totally caught off guard, and our feeling was that we are happy at our schools and we don’t need

someone to step in on our behalf,” said Matt Hureau, who has been teaching at KIPP Academy for three years. “You feel like you have two parties who are freely communicating, so why would you want a third person to come in for that?”

Meanwhile, Ms. Nelson began to doubt her own decision, after spending what she estimated to be nearly 20 hours a week on union work. She asked to meet with Mr. Levin privately and told him all the troubles she had seen. “I felt like he really listened,” she said. “I should have done this sooner.”

The unionization drive has gone forward without her, and on Wednesday, the Public Employee Relations Board is expected to certify the group as a bargaining unit. That would pave the way for them to negotiate a contract with KIPP administrators; Ms. Weingarten said such a contract would not be identical to the one the teachers have with the city.

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