

# Association of Texas Professional Educators

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## **Four Killeen ISD employees appeal alleged reduction in force**

AUSTIN – An attorney representing members of the Association of Texas Professional Educators (ATPE) has filed an appeal with Commissioner of Education Robert Scott against the Killeen Independent School District for terminating members' employment due to an alleged reduction in force (RIF).

“The district has failed to follow its own policy, and these procedures are in violation of previous rulings by the commissioner,” said attorney Richard Arnett.

One of the four ATPE members Arnett is representing is Aloysius Cooper, a longtime Killeen ISD educator whose employment will be terminated at the end of the school year due to an alleged RIF by the district in an attempt to decrease its staff and expenditures.

Cooper, an academic advisor with Live Oak Ridge Middle School, has worked for Killeen ISD for 15 years. He was previously a teacher with the district.

A petition filed by Cooper states that the Killeen ISD Board of Trustees voted to “implement a program change in the middle and high schools based on financial exigency” March 8. This decision resulted in the elimination of several positions, including Cooper's.

Arnett says the board violated its local RIF policy by allowing principals to select “less-favored or disfavored employees for termination and to avoid any duty to place them in open positions” they were qualified for, according to the appeal.

Cooper, who is also certified as a teacher for first through sixth grades, was included in his school principal's proposed list of employees whose term contracts should not be renewed. The petition states that Cooper had a previous issue with his current principal when Cooper was selected for an administrative position by a committee at their school.

“There was no substantial evidence presented that the district followed its policy in selecting Mr. Cooper for nonrenewal,” Arnett said. “Mr. Cooper's selection was arbitrary and capricious.”

In the petition, Cooper requests that the district's Board of Trustees reinstate him, compensate him for any lost salary and issue him a professional contract for the 2011-12 academic year.

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*The 116,000-member Association of Texas Professional Educators is the largest educators' group in Texas and the largest nonunion educators' group nationwide. Its membership consists of classroom teachers, para-educators, administrators, college students and retired educators. ATPE is committed to advocating for better benefits for all educators, promoting a collaborative work environment and the right of educators to choose the association they feel represents their interests, and providing the best education possible for all Texas school children.*