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HFT Files Lawsuit Against HISD Superintendent and School Board Members Over Illegal Teacher Evaluation System

HOUSTON—The Houston Federation of Teachers [filed a lawsuit today](#) against appointed Houston Independent School District Superintendent Mike Miles and all HISD school board members for illegally developing and implementing the teacher evaluation, which determines teachers' employment situation and their compensation.

The suit seeking a temporary injunction was filed in the District Court of Harris County, Texas. It states that HISD violated Texas Education Code requirements by not getting input from teachers and other stakeholders when developing a new teacher evaluation.

"Injunction relief is necessary in this matter because if not granted, teachers will be appraised this current school year and have those appraisals used by HISD to make high-stakes employment decisions under an illegally developed appraisal system," the suit states.

"Superintendent Miles has grossly and illegally expanded both his power and that of the appointed school board. He is refusing to follow the law by shutting out the voices of teachers, parents, students and other community members and punishing educators in the name of streamlining the district," said HFT President Jackie Anderson. "This is autocratic, not democratic or even legal. We will not stand by and allow him to run roughshod over this district and destroy all the progress this community has made without a fight."

Texas AFT Zeph Capo said Miles' actions add to the long list of actions showing their intent to dismantle the Houston school system.

"Starve, shame and shutter. That's the playbook. Texas state leaders took over HISD to consolidate power, installing their own hand-picked board of managers and overhauling district policy with no community input. This was not about poor-performing schools; in fact, it wasn't about the students at all. This is about the state's long-term plot to dismantle our democracy in Harris County. They have attacked our elections, attacked our elected leaders and seem intent on dismantling the parts of our school system that are the very reasons our students want to come to school," Capo said.

According to the suit, Miles proposed, and the board of managers approved, a new local appraisal system, known as Policy DNA. Through its adoption, they scrapped the T-TESS appraisal system, along with its established processes and criteria for measuring teacher performance. The Texas Education Code requires input from district- and campus-level committees, but there was no such engagement in developing the new appraisal system.

The code also requires that any appraisal system list performance measure criteria based on observable, job-related behavior including teachers' implementation of discipline management procedures and the performance of teachers' students and other items.

"The hollowed-out version of DNA approved by the board of managers does not contain any performance criteria, and it is unknown what the criteria will be for evaluating a teacher's performance," the suit states.

Anderson said that if educators and others had the opportunity to be involved in the creation of a new evaluation system, they would have demanded an itemization of the things on which they would be evaluated. "Now, it'll be based on who knows what and can be purely subjective. This is just not right or fair," she said.

HFT is seeking a temporary injunction and asking the court to determine that the Texas Education Code prohibits Miles and the appointed board of managers from adopting and implementing a local teacher appraisal policy that has not been developed and approved according to the law.

Last week, after HFT and the American Federation of Teachers threatened Miles with a federal lawsuit over his order prohibiting educators from posting on social media or other communications platform anything he considers critical of the district, he backed down and reverted to current policy.

"At every step of the way, Mike Miles has sought to silence dissent and silence the voices of educators. His attempt to dilute our consultation agreement with the district is another example. I have news for this administration: You may not want to meet us at the bargaining table, but you will see us in court," Anderson said.

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