

# Gale Daily News

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## Alders sue BOE for charter violation

BY REBECCA KARABUS

The New Haven Board of Alders filed a lawsuit on Jan. 26 against the city's Board of Education and BOE member Daisy Gonzalez — widely regarded as the voice of New Haven Public Schools parents — for Gonzalez's allegedly illegal membership on the BOE.

The New Haven City Charter, which was revised and approved by voters in a November 2013 referendum, mandates a seven-member BOE. But after the November election of Darnell Goldson and Edward Joyner, the board currently has eight members. Though the BOE voted last month to permit eight members to sit until the end of 2016, the BOA claimed this action was illegal and voted the next week to end Gonzalez's term. The 2013

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referendum failed to specify how the BOE would drop from an eight- to a seven-member board with the adoption of a hybrid board through the election of two new members, leading to the current controversy. The BOA decided Gonzalez should be the member to step down because she is the most recent mayoral appointee, confirmed by the alders on Oct. 20, 2014.

“The Board of Alders is taking this action to enforce the properly exercised, legally binding and cost neutral legislative remedy it carried out in December,” Board of Alders President Tyisha Walker and Majority Leader Alphonse Paolillo Jr. said in a statement. “We are doing so on behalf of our constituents because the

Board of Education persists in defying the Charter, the law of the City and the will of the voters.”

On Jan. 12, Mayor Toni Harp, the BOE’s current president, attempted to veto the alders’ ordinance to end Gonzalez’s term. Joyner told the News earlier this month that Harp’s submission of a scanned signature to the City Clerk’s Office came two days late, rendering the veto null and upholding the alders’ ruling.

Walker signed the Jan. 26 complaint against Gonzalez and the BOE. The lawsuit calls for an injunctive relief barring Gonzalez from continuing to serve on the board and an injunctive relief barring the board from acting with eight members.

Norm Pattis, a New Haven-based criminal defense lawyer with Pattis & Smith Law Firm, the firm representing the alders, said the BOA has every right to file the complaint against Gonzalez.

“I think Gonzalez was mistakenly appointed for a four-year term,” Pattis said. “For Ms. Gonzalez to claim she has some divine right to

occupy that office because of that error is ludicrous.”

Pattis added that while the BOA made a mistake that resulted in the eight board members, the BOA seeks to correct this error via litigation against Gonzalez. Pattis said boards of education across Connecticut have a history of overreaching their authority and that New Haven’s current case is “yet another chapter in that history.”

Gonzalez, who is the current chair of the BOE’s Finance and Operations Committee, said the BOA has yet to present her with the lawsuit. She declined to comment, claiming the suit is a rumor for the time being, as far as she is concerned.

Harp said she could not comment because she has not seen the lawsuit either.

“While I’m certainly disappointed to learn this recent move made by the Board of Alders, I haven’t yet seen or read the lawsuit and therefore can make no comment about it,” Harp said in a statement.

Gonzalez was initially appointed to serve until Dec. 31, 2018. ■