

TRC MEETING Comments and Analysis

I went to the big UFT Re-Assigned Teacher Center meeting on October 30, 2007. Lots of UFT brass and the NYSUT lawyers were in attendance to show concern and support. Our UFT president Randi Weingarten outlined on power point ten issues regarding the Rubber Rooms that the UFT was working on. Randi promised to post the 10 points on UFT.org. Overall, they involved effective due process, following already extent contractual obligations and strategies to block further abuse of RR teachers. Suggestions were to create a TRC handbook, install elected TRC liaisons, demand a short time period for informing the accused of the charges, hire more arbitrators so as to eliminate the long wait for hearings, and request that the facilities have actual DOE supervisors rather than security guards in charge of teachers. Other suggestions were for exonerated teachers to be given the option of returning to their school or going to a new one. Additionally, allowing people in the TRC's to perform pedagogically useful work assignments, and keeping teachers on the school's payroll –rather than switch them to a new budget; were suggested.

I suppose that the meeting was really about announcing all of the things that the Union has done on behalf of the Re-Assigned Teachers (RATs – is our acronym nickname). I didn't expect much more from the UFT leadership than a hopeful photo shoot with the nearly 800 re-assigneds on record and an ear to the bitter complaints of the perhaps 300 who actually showed up for the meeting on a Tuesday afternoon.

Randi asked if the UFT was on the right track with these suggestions. (Let's keep in mind that many of the re-assigned teachers are equally angry with the DOE and the UFT; – The DOE for providing the mechanism which placed them in the Rubber Rooms; and the UFT, for not doing enough to protect us).

After the power point presentation, the meeting quickly descended into a series of complaints. This was after all, an opportunity for teachers to vent...

One teacher reported that she saw immediately upon arrival that her TRC was populated with teachers who were tenured, black, hispanic, disabled, UFT reps, people with foreign accents, or gay. She especially noted that there were a lot of older teachers there and wanted to know if the Union was suing on that issue. (Ms. Weingarten responded that the UFT did pursue a Federal age discrimination case and lost. The possibility of individuals suing in civil court is still an option).

Another teacher who felt that the points were off the mark stated that the 10 points of suggestions did not address the issue of principals sending teachers to the rubber rooms in the first place. She suggested that the UFT intervene before someone is sent away from their school.

Someone else objected to the idea that the school's themselves pay the salary of the teacher sent to the RR. In her case, as a non-tenured teacher; she would likely be fired if the school was forced to foot the bill. She would prefer to get her salary from a DOE budget that does not tap her school's funds.

Yet another woman reported that a principal with 8 months experience had her escorted out by a security guard in front of her class. Her 22 years of service was disrespected as her classroom materials were later delivered to her in garbage bags.

That was enough for me... I had already heard many Rubber Room tales of woe. I had to go. The emotionalism that had beset the meeting became for me, a big distraction to getting a finger on what was really going on. (That being - Why do the Rubber Rooms exist? And how long will we be held in them?)

While it was, overall, important for the UFT to show the TRC membership that the UFT has been responsive to their needs; It is equally important for us to recognize that the UFT is fighting a losing battle. Some of the reasons for the UFT's losing score are by their own hand. Allowing for mayoral control of the school system, offering the membership a sell-out contract in

2005 which exchanged chump-change for job security; and allowing for unlicensed ‘fellows’ to enter the teaching core have all contributed to the current sorry state that we are in. Teachers now have weakened job protection. Those of us fortunate enough to be tenured and still on the payroll can be thankful for the tight contracts that were established by Al Shanker in the past. Though some important gains have been made; our current leadership has been stymied; and the very presence of the ‘Rubber Rooms’ serves as a testament to that.

A strategic system analysis has been done by the DOE; it considered school leadership, economic factors and school personnel. The rubber rooms are an essential piece in their chess game for effecting change on the school system.

Why would the DOE continue to pay for veteran teachers, when they can get “two for one?” Why have the rubber rooms – previously a holding pen for a small number of serious cases awaiting disciplinary hearings - swelled to warehouse record numbers of teachers who have bogus charges, or no charges at all? For answers, you’ll have to ‘follow the money’.

The planned ouster of the aged (by that I mean those over age 40 or those on the job at higher salaries); the vociferous (truth-tellers and potential whistle blowers, the student advocates (those who actually do care about the kids) and most importantly, the Chapter leaders (those UFT trained, elected representatives of the school staff) are emblematic of the protracted death-blows being pummeled upon the UFT. How otherwise, could the system’s most valuable teachers, in terms of experience, have been sent off to a workplace ‘Siberia’ so that ‘business as usual’ may continue in the ‘new leadership’ schools.

Why are a record number of teachers being removed from the classroom? Well, it’s politics...Keep in mind that a regime change is occurring. The leftist socialistic mentality held by many of the over- 40’s has eroded in favor of a more practical economically conservative approach. Schools after all, are a business. The education-employment complex first and foremost wants to ‘clean house’ and populate the factory with a compliant source of cheap

labor. Like any other manufacturing plant, the DOE focused on ‘busting the union’. And they are doing so by attacking the contract, and by hiring “scabs”.

Mayoral control, a republican run New York City government, centralization, private contracting, a blighted economy, increasing health costs, uniform curriculums, performance testing for children, and certification testing for teachers - all these factors demand improved price/performance ratios. At the school level, principals will choose to hire what I like to call the ‘Stepford Teacher’. You know who I’m talking about;- those cheery corn fed imports (from the west, mid-west, Australia and other points abroad) who come to the big city to ‘make a difference’. These new recruits are often lured straight out of college or as career switchers into a ‘fellows’ type program. Statistics for the Fellows in Teaching Program have shown that they often stay for a few years to do their ‘peace-corps’-like stint for which they hope to attain a free master’s degree, NYS Teacher Certification and licensure. Some even get a housing deal. When they leave (and 50% do so before completing 3 years of service); their loss creates a void in the schools which only further drives the system to seek out more of them (at taxpayer expense). Why? - because they are relatively cheap.

These Teaching Fellows and Teach for America recruits serve as union-busting scabs that weaken the security of the teaching profession. The revolving door designed for fellows at the bottom of the system allows for the banishment of senior teachers at the top. The senior teachers are getting pushed out of the window in this DOE house of cards - and the rubber rooms are but a landing on the staircase. The economics is such that after 3 years, even those fellows with exemplary service will not be offered tenure. The mayor’s attack on tenure has already begun. The strategy applied is this: teachers who have tenure are sent away to the RR’s to await due process on often flimsy allegations while the system assures that no others will attain tenure in the future. What better way to ‘nip it in the bud’ than to deny any person under consideration for tenure? (I believe that in the future, three years will be a de-facto ‘Max salary’). Already, I’ve heard a story about an exemplary fellow who found himself out of a job near his three year mark.

The principal hired ‘a new one’ at \$42,000 per year rather than pay the fellow for his experience and award him tenure. Slotted for obsolescence by year three; it’s no wonder some fellows leave with a bitter taste in their mouths. Whether it is because they were culturally ill-equipped to deal with the ‘mostly minority’ group kids in their classrooms, the demanding workload topped with graduate classes at night, the exploitation or repression of expression; they leave in droves, with the tax-payer of course, footing the bill.

At issue is a power play in which the UFT is losing badly against the politically astute, legally savvy, moneyed resources of the Department of Education. Joel Klein was hired (and given a free pass from having to meet the educational requirements usually demanded of a Chancellor) because he was an effective lawyer. And his intent is to shut the UFT down. The DOE has picked through the UFT contract; searching for weaknesses. Indeed, they have created a few “Achilles heels” in recent our contract. (I believe that the next offensive is imminent. We can predict that a parallel exodus is about to occur whereby large numbers of teachers will be accused of ‘corporal punishment’ or ‘sexual misconduct’ , and suspended *without pay* – as this is a stipulation in the contract revision; which is now being enforced with a vengeance.)

What the ‘Rubber Room is – is a weigh station, a temporary grazing ground in which some will be let out to pasture (with a pensionable retirement) and some will be sent off for the kill (with the imposition of fines, and possible loss of job and license). In the meantime, this ‘teachers time-out’ prevents people from ‘going postal’; - as one might if they were to be directly thrown out of a job. It also offsets potential lawsuits from teachers...But mainly, the Rubber Rooms keep ‘trouble-makers’, UFT representatives, and anyone with institutional and pedagogical memory ‘out of the picture’ as schools ‘re-organize’.

You can be sure that the DOE has already done the math. And that, like the “25/55” - 25 years of service and 55 years of age - pension offer that our UFT president has recently made a deal on, it will be ‘cost-neutral’ to the city.

Rubber Roomies close to serving 25 years in the system may then have a bargaining chip in their negotiations during 2030a disciplinary hearings. The DOE might find it 'cost-neutral' to allow them to 'walk' with a pension. But for those not near retirement age; some other strategy will have to be forthcoming. After all, we can't have people sitting in the 'RR' for several years. – Or can we? The case of David Packter; confined to a Manhattan Rubber Room for over 13 years, should give us all pause. If nothing can be substantiated against you, the DOE may elect to avoid the embarrassment of losing cases by 'rubberizing' you long-term. If they want to 'get' you, they can. Simply putting exemplary teachers with a commitment to students 'on ice' has proven to be effective.

The Rubber Rooms have now themselves become a bureaucracy. A new DOE department – The Bronx ISC (Integrated Service Center) has been created to further entrench the concept. With this new branch of department of ed bureaucracy; we have a new director – Marlene Siegal. Newly placed at our facility is a 'Principal in Charge' and additional security guards. There are now EIGHT official Teacher Re-assignment Centers. This signals to me that there may be plans to expand the 'program'. How much is this costing? Surely millions. 800 Teachers on ice, maintenance of facilities, directors, principals in charge, security guards. Ka-Ching, Ka-Ching... But, in the end, you can rest assured - the result will be 'cost-neutral' to the city.

A major wound to the public education system has been caused by the removal of veteran teachers. The Rubber Rooms are where they are being 'temporarily' held. The hiring of teacher fellows has served to cover this wound. Having this replacement force has allowed for the schools to 'clean house'. I expect that the Rubber Rooms will be full until the 'obsolescence' is done. Perhaps the DOE will find no use for Rubber Rooms in a few years. But for now, ever more re-assigned teachers will continue to be sent here; as it is the quickest, easiest way to remove any 'thorns in the side' of 'empowered' school principals with no tolerance for being challenged.

UFT president Weingarten followed up on the TRC meeting by sending out a letter on November 1, 2007 to Chris Chef; the 'Deputy Chancellor of

Organizational Strategies, Human Capital and External Affairs’ outlining her 10 power point recommendations. Rightfully, she implies that the DOE’s use of the TRC’s has been an “abuse of process”. Sadly, the remainder of the letter outlines her points and weakly appeals to the deputy chancellor to ‘give these proposals serious consideration’.

The very fact that our UFT president wrote to a deputy and not to the ‘head’ Chancellor. Joel Klein, gives us an indication of how low on the totem pole this issue is. We must also take note that if the DOE actually has a department of Organizational Strategies, Human Capital and External Affairs with a deputy chancellor installed - surely, the bureaucracy is now gargantuan, with highly paid administrators with absurdly fancy titles getting monies that the ordinary taxpayer might think would be better directed toward educating children. Another observation that must be made is that the very presence of a ‘Department of Organizational Strategies, Human Capital and External Affairs’ all but states the DOE’s plans. - What ‘organizational strategies’ might the DOE be planning to implement? Which ‘human capital’ will be considered? And, what communications should be made public about it to control ‘external affairs’?

I’ll leave you to answer the obvious. The writing on the wall could be no clearer.

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