



**Buffalo Teachers Federation, Inc.**  
271 Porter Avenue  
Buffalo, New York 14201  
(716) 881-5400  
(716) 881-6678 (fax)

**President PHILIP RUMORE**

March 9, 2016

MEMO TO: All Buffalo Teachers  
FROM: Philip Rumore, President, BTF  
RE: BTF/NYSUT Attack Receivership

In our unrelenting fight against Receivership and invalidated, inappropriate and student demoralizing testing, the BTF Executive Committee passed the following:

- Support for the following Resolution passed unanimously by the NYSUT Executive Committee and Board of Directors that will be voted on at the NYSUT Representative Assembly in April 2016.

**“Repeal New York State’s draconian Receivership Law and Defend collective bargaining rights as enshrined in New York State law**

Whereas, New York State’s recently adopted receivership law perpetrates a failed test-and-punish system that egregiously mislabels schools, students and educators using discredited metrics based on flawed state standardized tests, and

Whereas, the 144 schools in 17 school districts targeted as receivership schools are in fact owed over \$2.7 billion from the state, penalizing them as the most underfunded districts in the state, and

Whereas, the receivership law persistently mislabels schools, students and educators based on discredited state test scores without acknowledging the significant strengths and progress of students and educators in those school communities, and furthermore egregiously and wrongly singles out educators instead of addressing the state’s failure to provide the resources and support these schools deserve, and

Whereas, the Commissioner’s action seeking to override collective bargaining rights in Buffalo receivership schools is an affront to working people in New York State and across the nation and would violate the individual due process rights of every teacher affected by the abrogation of collective bargaining; and

Whereas, such action contravenes collective bargaining rights that are enshrined in decades of law by the solemn intent of the state Legislature and contract rights protected by the United States Constitution; and

Whereas, the long and successful history of labor-management collaboration as a key factor in school success is well documented across New York State and the nation; and

Whereas, collective bargaining is in fact essential in ensuring the collective wisdom of teachers and school-related personnel is brought to bear in advocacy for what students need and what parents want, without fear of reprisal or retribution; and

Whereas, any action seeking to curtail collective bargaining rights perpetrates the perilous trend of power concentration in the hands of an appointed few to the detriment of democracy, and further endangers the voice of all working people in New York State and the nation and; now, therefore be it

RESOLVED, that NYSUT reaffirms its vehement opposition to the state receivership law and will use every legal and legislative means to effectuate its immediate repeal; and be it further

RESOLVED, that NYSUT calls upon the state to immediately adopt the state aid plan developed by the Educational Conference Board to begin to address the shameful shortfall in state funding to the districts affected and penalized by the receivership law; and be it further

RESOLVED, that NYSUT will continue to support its locals in using the collective bargaining process to advocate for student-centric solutions to the challenges facing persistently mislabeled schools, including reducing class size, combating absenteeism and addressing other essential teaching and learning conditions, including but not limited to after-school programs, access to counselors, mentoring services and other supports that advance student success; and be it further

RESOLVED, that NYSUT commits to any and all actions necessary to defend collective bargaining rights for our members and working people across New York State and the nation, and calls upon our national and international affiliates to stand in solidarity with us in this important cause.”

- A Resolution aligning the BTF with the NYSUT Resolution

“Whereas, New York State’s recently adopted receivership law perpetrates a failed test-and-punish system that egregiously mislabels schools, students and educators using discredited metrics based on flawed state standardized tests, and

Whereas, the 144 schools in 17 school districts targeted as receivership schools are in fact owed over \$2.7 billion from the state, penalizing them as the most underfunded districts in the state, and

Whereas, the receivership law persistently mislabels schools, students and educators based on discredited state test scores without acknowledging the significant strengths and progress of students and educators in those school communities, and furthermore egregiously and wrongly singles out educators instead of addressing the state’s failure to provide the resources and support these schools deserve, and

Whereas, the Commissioner's action seeking to override collective bargaining rights in Buffalo receivership schools is an affront to working people in New York State and across the nation and would violate the individual due process rights of every teacher affected by the abrogation of collective bargaining; and

Whereas, such action contravenes collective bargaining rights that are enshrined in decades of law by the solemn intent of the state Legislature and contract rights protected by the United States Constitution; and

Whereas, the long and successful history of labor-management collaboration as a key factor in school success is well documented across New York State and the nation; and

Whereas, collective bargaining is in fact essential in ensuring the collective wisdom of teachers and school-related personnel is brought to bear in advocacy for what students need and what parents want, without fear of reprisal or retribution; and

Whereas, any action seeking to curtail collective bargaining rights perpetrates the perilous trend of power concentration in the hands of an appointed few to the detriment of democracy, and further endangers the voice of all working people in New York State and the nation and; now, therefore be it

RESOLVED, that BTF reaffirms its vehement opposition to the state receivership law and will use every legal and legislative means to effectuate its immediate repeal; and be it further

RESOLVED, that BTF calls upon the state to immediately adopt the state aid plan developed by the Educational Conference Board to begin to address the shameful shortfall in state funding to the districts affected and penalized by the receivership law; and be it further

RESOLVED, that BTF will continue to support its locals in using the collective bargaining process to advocate for student-centric solutions to the challenges facing persistently mislabeled schools, including reducing class size, combating absenteeism and addressing other essential teaching and learning conditions, including but not limited to after-school programs, access to counselors, mentoring services and other supports that advance student success; and be it further

RESOLVED, that BTF commits to any and all actions necessary to defend collective bargaining rights for our members and working people across New York State and the nation, and calls upon our national and international affiliates to stand in solidarity with us in this important cause.”

- That the following BTF Resolution be introduced at the NYSUT RA calling for NYSUT to encourage parents to opt-out of New York State Standardized tests and work with other organizations in this effort and that NYSUT work with parents to initiate legal actions against state standardized tests.

**“WHEREAS:** The New York State standardized tests have been shown to be developmentally inappropriate, misaligned, invalidated, harmful to critical thinking and creativity and perpetuate a failed test and punish system, and;

**WHEREAS:** Said test and punish testing and test preparation deprives students of hundreds of hours of valuable instructional time, and;

**WHEREAS:** Such testing is considered by many to be a form of institutionalized child abuse, and;

**WHEREAS:** The “opt-out” movement has resulted in the awakening of many to the anger and frustration of students and adults from said testing, and;

**WHEREAS:** It is important to increase the number of students being “opted-out” of said testing, and;

**WHEREAS:** It is necessary to take action to prevent this child abuse.

**BE IT RESOLVED:** That NYSUT, while cognizant of the legal charges that might face educators that encourage parents/guardians of their students to “opt-out”, will join with appropriate state and local organizations to encourage parents/guardians, etc. to protect their children by “opting-out” of the New York State standardized tests, and;

**BE IT FURTHER RESOLVED:** That NYSUT institute legal actions in cooperation with parents, guardians and interested parties to halt the implementation of said testing until a procedure for field testing, validation, and the determination age, gender, emotional, language appropriateness is enacted.”

The above resolutions were:

**Recommend By:** Philip Rumore, President

**Moved By:** Rebecca Pordum, Treasurer

**Seconded By:** Thomas Gattie, Executive Committee