



NYSUT RA 2010

**38th Annual
Representative
Assembly**

2010

Proposed Resolutions

**April 29 - May 1, 2010
Marriott Wardman Park
Washington, DC**

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2010 NYSUT RA Rules of Procedure

With the following modifications, *Robert's Rules of Order*, Newly Revised 10th Edition (2000), will be followed. The Chair can set aside Rules of Procedure to facilitate business, if there is no objection.*

1. CREDENTIALS AND SEATING

Access to General Sessions will be by badge only. Badges shall be worn so that they can be recognized easily by the Sergeants attending the doors.

Only delegates and authorized staff shall be seated on the convention floor. Alternates and other visitors are welcome to sit in the visitors seating area. Guests who are not delegates may be seated on the stage at the discretion of the Chair. A seating area will be designated for delegates who bring their children into the General Session.

Any person disrupting the proceeding, interfering with security or law enforcement requirements or the rules/regulations of the convention facility will be asked to leave by the Sergeants.

2. QUORUM

A quorum shall be defined as one more than one-half of the registered delegates.

3. RECOGNITION BY THE CHAIR

The Chair shall recognize only speakers at microphones. Microphones are located throughout the meeting room. A delegate desiring to make a motion or address the Assembly shall address the Chair, wait for recognition from the Chair, and then state his or her name, local name and purpose.

4. DEBATE ON THE FLOOR

Debate on each main motion shall begin with the Chair recognizing the delegate at microphone #1. Each microphone shall have an identifying number and delegates will be recognized by the Chair in consecutive numerical order until debate on the main motion and any subsidiary motion(s) is complete. No delegate

shall speak in debate more than twice during debate on the same question, nor longer than three minutes at one time, unless permission is granted by a majority vote of the delegates present and voting at that session. No delegate except the sponsor of the motion shall speak a second time on the same question until all persons have had an opportunity to speak to it. Debate cannot be closed unless at least one speaker from each side has been given the opportunity to be heard. After 15 minutes of discussion on each main motion or amended motion, as applicable, an automatic motion to close debate on such motion shall be offered. Delegates may, of course, choose to continue to debate.

5. RESOLUTIONS, AMENDMENTS AND SPECIAL ORDERS OF BUSINESS

Resolutions, amendments and special orders of business shall be in writing and signed by the maker and/or seconder. Forms for motions, amendments and special orders of business are available at the tellers' table.

6. DELIBERATIONS ON RESOLUTIONS

In order to commence deliberations on resolutions and in consideration of printing constraints, the Chair may proceed to conduct resolution business before the three priority resolutions of each Committee have been completed.

Debate: Delegates on the floor of the NYSUT Representative Assembly are free to offer amendments to any and all resolutions.

Concurrence: Any resolution recommended to the NYSUT Representative Assembly for concurrence by a Committee need not be seconded.

Amended Resolutions: Any resolution which is recommended to the NYSUT Representative Assembly for concurrence, as amended, by a Committee needs to be seconded.

Non-concurrence: Any resolution is recommended to the NYSUT

Representative Assembly for non-concurrence by a Committee does not need not be seconded. A Committee's recommendation of non-concurrence causes the resolution to die. However, should a recognized delegate advocate in favor of the resolution (i.e. by opposing non-concurrence), that motion needs to be seconded before debate may commence on merits of the resolution.

Uncontested Resolutions: Any Committee recommendation for concurrence or for concurrence, as amended, to which there are no objections from the delegates, shall be passed by the sounding of the gavel.

Clearing Microphones: All microphones must be cleared prior to the Chair placing a resolution or amended resolution before the body for a vote.

Resolution's Duration: All resolutions adopted by the NYSUT Representative Assembly are effective for a 4-year period.

7. REAFFIRMED RESOLUTIONS

Resolutions adopted by previous NYSUT Representative Assemblies that are reaffirmed prior to their expiration do not have their life span extended.

Any resolution which reaffirms existing NYSUT policy within the four-year active period will be published separately and provided to all delegates. These resolutions will be deemed reaffirmed by virtue of their publication and no Committee deliberation or floor discussion will take place.

8. BOARD RESOLUTIONS

The Board of Directors may develop and submit resolutions to the Representative Assembly for action by the delegates.

Board resolutions adopted prior to the Board of Directors meeting held at the Representative Assembly will be assigned to a Resolutions Committee for consideration.

Board resolutions need not be seconded.

* Points of order are appropriate whenever any delegate believes that his/her rights under either these Rules of Procedures or *Robert Rules* have or are being violated. The Chair shall promptly rule on such motions and shall take such action as may be necessary to correct any violations.

2010 NYSUT RA Rules of Procedure (continued)

9. SPECIAL ORDERS OF BUSINESS (“SUSPENSION OF RULES”)

These must be items of immediate concern which arose after the deadline for submitting resolutions*. In order to be considered, the subject of a special order of business must attain a 2/3 vote of the body before it can be introduced. (**Deadline for Resolutions = January 15, 2010*)

10. VOTING

Voting shall be by voice vote, show of hands or standing. A one-third vote of all delegates present and voting is required to call for a roll call vote on any matter before the Assembly. The roll call procedure to be followed is as described in Bylaw J.

The Constitution may be amended by a two-thirds vote and the Bylaws by a simple majority vote of the delegates present and voting, provided that an affirmative vote shall represent at least a majority of the registered members of the Assembly. The entire procedure to be followed in amending the Constitution or Bylaws is set forth in Article XII of the Constitution.

11. BUDGETARY OR FISCAL EFFECT OF ACTIONS

The adoption or acceptance of a committee report, a resolution or any other business item does not include

approval of any requested appropriation, expenditure or other fiscal or budgetary action. The adoption of the budget; modification of the budget; approval of extraordinary expenditures; the purchase, sale or disposal of property, or any other such fiduciary responsibility resides with the Board of Directors in accordance with Article IX, Section 7 of the NYSUT Constitution.

12. SERVICES FOR AD HOC COMMITTEES, CAUCUSES AND SPECIAL INTEREST GROUPS

Any ad hoc committee, caucus or special interest group may petition the NYSUT Representative Assembly Committee for use of a table for distribution of literature. The ad hoc committee, caucus or special interest group must be comprised of certified delegates to the RA. Requests for such services shall be made to the NYSUT RA Committee by the completion of a petition which must be signed by no fewer than 50 delegates. All expenses associated with the granting of the request for services shall be the responsibility of the ad hoc committee, caucus or special interest group. Petitions will be approved on a first-come, first-served basis and will be subject to space limitations and safety considerations. Petition forms are available from the NYSUT Representative Assembly Committee (800-342-9810, ext. 6663).

13. DISTRIBUTION OF MATERIALS

Only official convention materials may be distributed on the convention floor. Any literature, posters or other materials shall clearly identify the individual, group or committee responsible for its preparation. No staff member should be requested to participate in the preparation, copying or distribution of election or campaign materials, or asked to engage in any campaign activity related to an individual's election to any elected office. For the safety of the delegates and guests, material may only be distributed a safe distance (as determined by appropriate convention or law enforcement officials) away from any escalator, elevator or entrance to the convention floor.

14. CELL PHONES

All delegates are requested to place their cell phones on silent or vibrate mode. Cell phone use in the hall during the General Sessions is prohibited.

2010 NYSUT RA Proposed Order of Constitutionally Required Business*

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|-------------------------------------------|-------------------------------------------------------|--------------------------------------------------------|
| 1. Report of the Credentials Committee | 7. Legislative Program | 13. Business Items Submitted by the Board of Directors |
| 2. Adopt the Order of Business | 8. Endorsement of Candidate for Retirement Board Seat | |
| 3. Adopt the Rules of Procedure | 9. Elections | |
| 4. President's Address | 10. Vice Presidents' Reports | |
| 5. Resolutions | 11. Secretary-Treasurer's Report | |
| 6. Report of the Executive Vice President | 12. Report of the Elections Committee | |

** The Chair can set aside the Order of Business to facilitate the convention if there is no objection.*

General Session Voting Procedures on Resolutions Committee Reports

Full delegate participation is achieved at NYSUT's convention by use of the resolution committee system. Properly submitted resolutions are reviewed, or refined and/or amended by the appropriate committee, and then a recommendation is made to the convention's general session. Significant delegate and convention time is devoted to committee proceedings. Therefore, while the delegates are free to agree or disagree with the action of the committee, it is imperative that all delegates be aware of the committee recommendation when they vote.

Committee chairs are empowered to accept friendly amendments that in the opinion of the committee chair, would have been favorably considered by the committee.

The committee chair places a resolution on the floor by using one of five terms:

1. to table
2. to refer
3. out of order
4. nonconcurrence
5. concurrence

1. To Table - the committee chairperson informs the delegates of the committee's recommendation to table the resolution, and in so doing places the tabling motion before the body. If seconded, debate commences. At the conclusion of the debate the Convention Chairperson will say, "The committee recommends tabling of this resolution. They are opposed to a vote for or against this resolution. All those who support the committee's recommendation to table this resolution say 'aye,' all those who oppose the committee's recommendation to table say 'nay.'"

If a 2/3 majority vote is achieved, the resolution is tabled, with intent to kill, unless it is intended to come up at another time during the convention

(such as table until information is obtained).

If a 2/3 majority vote is not achieved, the convention chairperson will then say, "All those in favor of this resolution say 'aye,' all those opposed to this resolution say 'nay.'"

2. To Refer - is put before the body by the chair and is to refer the issue to another body, such as the NYSUT Board of Directors. A motion to refer requires a majority vote. Motions "to refer" indicate the committee is uncertain of what action to take and is suggesting that further consideration be given to the resolution by another body.

3. Out of Order - indicates a resolution that supersedes the powers of the delegates, or requests action that the constitution specifically assigns to another governance body, or seeks to act as a constitutional amendment. These resolutions shall automatically be withdrawn.

4. Non-concurrence - the committee chairperson informs the delegates of the committee's opposition to the resolution. Unless an advocate for the resolution is properly recognized and moves the resolution's consideration and it is seconded, the resolution dies.

If the resolution is properly placed before the body, at the conclusion of the debate the Convention Chairperson will say, "The committee recommends non-concurrence. They oppose this resolution. All those who agree with the delegate who moved this resolution in opposition to the committee's recommendation say 'aye,' all those who support the committee recommendation and disagree with the delegate who moved the resolution say 'nay.'"

If the committee voted to recommend non-concurrence of a resolution, no Motion to Table that resolution shall be in order and, if made, any such motion shall be ruled "out of order" by the Chairperson.

5. Concurrence - the committee chairperson informs the delegates of the committee's recommendation and in so doing places the resolution before the body as a motion. Since the resolution/motion is being recommended by a body of delegates, a second from the convention floor is not required.

If the motion at the conclusion of debate is in the same form as recommended by the committee, the Convention Chairperson will say, "The committee's recommendation is for concurrence, the committee favors this resolution. All those who agree with the committee's recommendation say 'aye,' all those who disagree with the committee say 'nay.'"

If the resolution as recommended by the committee is amended during debate, the Convention Chairperson will not remind the delegates of the committee's recommendation since it is not possible to ascertain the committee's position on the resolution as amended. The Convention Chairperson will say, "All those in favor of the motion as amended say 'aye,' all those opposed to the motion as amended say 'nay.'"

Special Orders of Business

These must be items of immediate concern which arose after the deadline for submitting resolutions. In order to be considered, the subject of a special order of business must attain a 2/3 vote of the body before it can be introduced.

2010 NYSUT RA Amendments & Resolutions Committee Procedures

Resolutions properly submitted have been categorized by topic and are assigned to one of the resolution committees.

Constitutional or bylaw amendments properly proposed by petition of delegates and those proposed by the Board of Directors will be considered by the Constitution and Bylaw Amendments Committee.

Each delegate should register for one of these committees by using a committee selection form previously sent to each delegate or by reporting to the Resolutions Committee Counter in the registration area at the Representative Assembly before 10:00 p.m., Thursday, April 29, 2010.

A delegate may request to testify on resolutions, especially those his/her local submitted, that have been assigned to other committees. During deliberations, committees are free to recommend amending, defeating and/or carrying resolutions.

Each committee shall select the three (3) resolutions it deems most important by separate majority vote. These resolutions shall be the first three resolutions presented by the committee chairperson to the NYSUT RA for deliberation.

In order to commence deliberations on resolutions and in consideration of printing constraints, the convention Chair may proceed to conduct resolution business before the three priority resolutions of all committees have been printed.

Delegates on the floor of the RA are free to offer amendments to any and all resolutions, as they are presented. After 15 minutes of discussion, an automatic motion to close debate shall be offered. Delegates may, of course, choose to continue to debate.

All microphones will be cleared prior to the committee chair placing a resolution before the body.

Rules of Procedure at Committee Meetings:

1. Committee chairpersons shall appoint a secretary and sergeant-at-arms.
2. Delegates vote on the Order of Deliberations.
3. *Robert's Rules of Order* Newly Revised 10th Edition (2000) and the Rules of Procedure adopted by the NYSUT RA shall be in effect.
4. Committee delegates shall determine the order of the first three resolutions to be presented to the NYSUT RA.

Guidelines for Attendance at Constitution/Bylaws and Resolutions Committee Meetings:

Sergeants at the door will admit into the committee meeting room only:

1. delegates whose badge indicates the applicable committee name, or
2. any delegate from a listed sponsoring local who wishes to testify.

If seating capacity allows, after all individuals under 1 and 2 above are seated, delegates from other committees, alternates, and visitors may be admitted. Sergeants will direct these individuals to the "visitors" seating area. These "visitors" may not participate in deliberations or voting.

2010 NYSUT RA Committee Chairs and Vice Chairs

CONSTITUTIONAL AND BYLAW AMENDMENTS*

Chair: Carla McLaud, Pine Bush TA; Director, ED 14

Vice Chair: Michael Mendel, United Federation of Teachers; Director, ED 34
**No constitutional or bylaw amendments have been proposed for the 2010 NYSUT RA. Deadline for receipt was February 26, 2010.*

CIVIL AND HUMAN RIGHTS

Chair: Michael Ciriello, Yonkers FT
Vice Chair: Ellis Woods, Buffalo Educational Support Staff or BEST; Director, ED A

COLLEGE AND UNIVERSITY

Chair: Ellen Schuler Mauk, FA of Suffolk County CC; Director, ED 39
Vice Chair: Candelario Franco, United University Professions

EDUCATIONAL ISSUES I

Chair: Seth Cohen, Troy TA
Vice Chair: Aminda Gentile; United Federation of Teachers, Director, ED 32

EDUCATIONAL ISSUES II

Chair: Karen Magee, Harrison Association of Teachers
Vice Chair: Donna Ramundo, Nyack TA

HEALTH CARE AND WORKPLACE SAFETY

Chair: Nancy Barth-Miller, United Federation of Teachers
Vice Chair: Sean Tvelia, FA of Suffolk County CC

LEGISLATIVE/POLITICAL ACTION I

Chair: Paul Pecorale, Patchogue Medford CT; Director, ED 22
Vice Chair: Phil Cleary, North Syracuse EA

LEGISLATIVE/POLITICAL ACTION II

Chair: Thomas Parker, Lewiston-Porter UT
Vice Chair: Richard Mantell, United Federation of Teachers

ORGANIZATION

Chair: Selina Durio, North Babylon TO, At Large (ED 17-20)
Vice Chair: Evelyn DeJesus, United Federation of Teachers; Director, ED 26

PENSION/RETIREMENT

Chair: Tim Southerton, Sayville TA
Vice Chair: Barbara Hafner, West Hempstead EA; Director, ED 18

TIMEKEEPERS

Sheila Goldberg, RC 17, 2009 AFT Retiree of the Year
Joan Perrini, Chair of the NYSUT Retiree Advisory Committee

2010 Proposed Resolutions

Civil and Human Rights

Resolution #1

Support for the DREAM (Development, Relief and Education for Alien Minors) Act

Submitted by: Bedford Teachers Association, Bellmore Faculty Organization, Bronxville Teachers Association, Coxsackie-Athens Teachers Association, East Williston Teachers Association, Farmingdale Federation of Teachers, Freeport Teachers Association, Hempstead Teaching Assistants Association, Herricks Teachers Association, Lawrence Teachers Association, Mineola Teachers Association, North Babylon Teachers Organization, North Shore School Federated Employees, Plainedge Federation of Teachers, Plainview-Old Bethpage Congress of Teachers, Port Jefferson Station Teachers Association, Retiree Council 17, Retiree Council 19, Smithtown Teachers Association, United Teaching Assistants of Harborfields, West Hempstead Educational Association

1 Whereas, each year, American high schools grant diplomas to about 65,000
2 immigrant students who were brought to this country at a young age. Many of these
3 youth have attended U.S. schools for most of their lives, but their immigration status
4 bars them from opportunities that make a college education affordable, including
5 in-state tuition rates, loans and grants, most private scholarships, and the ability to
6 work legally; and

7 Whereas, immigrant students lacking legal U.S. residency have had no other means
8 of legalizing their status and, therefore, should now be given the chance to “get-in
9 line,” while pursuing post-secondary education, obtain legal status and become
10 citizens of the country they call home, the United States of America; and

11 Whereas, the Development, Relief and Education for Alien Minors Act (hereon
12 referred to as the DREAM Act) was first introduced in the U.S. Senate in 2001,
13 subsequently amended through the years but failed eight votes short of reaching
14 closure on October 24, 2007; and

15 Whereas, the federal passage of the DREAM Act would make legally self-evident
16 what is true in “de facto;” these undocumented students belong in our post-secondary
17 institutions and are an American investment that we must not squander; and

18 Whereas, the DREAM Act has four basic requirements. A student must have:

- 19 ■ entered the country before the age of 16;
- 20 ■ graduated from high school or obtained a GED;
- 21 ■ good moral character (no criminal record); and
- 22 ■ at least five years of continuous presence in the U.S.; and

23 Whereas, similar legislation was introduced in the New York State Senate and
24 enacted into law by the governor in 2002; this Act amended the education law, in
25 relation to payment of tuition and fees charged to nonresident students of SUNY,
26 CUNY, and community colleges; therefore be it

27 **RESOLVED, that NYSUT use whatever means at its disposal to lobby the New**
28 **York State congressional delegation to support the passage of this proposed**
29 **legislation; and be it further**

30 **RESOLVED, that NYSUT publicize to its members the importance of supporting**
31 **this legislation; and be it further**

32 **RESOLVED, that NYSUT work with the AFT and NEA to expand our lobbying**
33 **efforts for the passage of the DREAM Act into other states.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #2

Support for the TRADE (Trade Reform, Accountability, Development and Employment) Act for Comprehensive Trade Reform

Submitted by: Bellmore Faculty Organization, Bronxville Teachers Association, Cossackie-Athens Teachers Association, East Williston Teachers Association, Farmingdale Federation of Teachers, Freeport Teachers Association, Herricks Teachers Association, Lawrence Teachers Association, Massapequa Federation of Teachers, Mineola Teachers Association, New Hyde Park-Garden City Park Teachers Association, North Babylon Teachers Organization, North Shore Schools Federated Employees, Plainedge Federation of Teachers, Port Jefferson Station Teachers Association, Retiree Council 17, Retiree Council 19, Sewanhaka Federation of Teachers, United Teaching Assistants of Harborfields, West Hempstead Educational Association

- 1 Whereas, NAFTA has been in effect for 15 years and several trade agreements
2 have followed the NAFTA pattern, in spite of clear evidence that it has contributed to
3 rising income inequality in the signatory countries; and
4 Whereas, the current rules for globalization repeat the mistakes of NAFTA again
5 and again by threatening economic security and good jobs in the United States; and
6 Whereas, current trade rules jeopardize sustainable development in poor countries;
7 and
8 Whereas, current trade rules do not set forth standards for food and product safety,
9 or environmental and labor protection rules; and
10 Whereas, NAFTA and other trade agreements grant unprecedented rights to
11 corporations and foreign investors to attack local, state and national health,
12 environmental, and labor laws within secret tribunals; and
13 Whereas, there is no evaluation component in any current free trade agreements
14 nor adequate congressional oversight; and
15 Whereas, dozens of NYSUT members have traveled to the U.S./Mexico border to
16 learn about the current dysfunctional trade system; therefore be it

- 17 **RESOLVED, that NYSUT use whatever means at its disposal to lobby the New**
18 **York State congressional delegation to support the passage of the TRADE Act**
19 **(Trade Reform, Accountability, Development and Employment) Act to review and**
20 **renegotiate current and future trade agreements; and be it further**
21 **RESOLVED, that NYSUT educate its members and staff about the importance of**
22 **supporting this legislation; and be it further**
23 **RESOLVED, that NYSUT engage with the AFT, NEA and AFL-CIO to expand**
24 **lobbying efforts for the TRADE Act through all affiliates and states.**

- ADOPTED
 ADOPTED AS AMENDED
 DEFEATED
 REFERRED TO THE
BOARD OF DIRECTORS
 TABLED

Resolution #3

Education Concerning the Rights of Undocumented Children to Public Education and Support for Comprehensive Immigration Reform

Submitted by: Bellmore Faculty Organization, Bronxville Teachers Association, Cossackie-Athens Teachers Association, East Williston Teachers Association, Freeport Teachers Association, Herricks Teachers Association, Hicksville Congress of Teachers, Lawrence Teachers Association, Mineola Teachers Association, New Hyde Park-Garden City Park Teachers Association, North Babylon Teachers Organization, North Shore Schools Federated Employees, Plainedge Federation of Teachers, Plainview-Old Bethpage Congress of Teachers, Port Jefferson Station Teachers Association, Retiree Council 17, Retiree Council 19, United Teaching Assistants of Harborfields, West Hempstead Educational Association

- 1 Whereas, there are more than 12 million people living in the United States without
2 legal status and 1.7 million of them are youths under 18; and
3 Whereas, the current Immigration Policy in the United States is dysfunctional and
4 causes unnecessary hardship for immigrants and their families; and
5 Whereas, myths and misinformation about immigrants and immigration policy
6 persist in all parts of U.S. society; and

7 Whereas, the current policy of border enforcement has only led to an increase in
8 the number of undocumented people entering the United States; and
9 Whereas, there are insufficient legal avenues for immigrants to enter the United
10 States compared with the number of jobs in need of workers; and
11 Whereas, schools and school personnel are directly affected by this issue because
12 undocumented children attend public elementary and secondary schools; therefore be it

13 **RESOLVED, that NYSUT embark on a systematic program of education for its**
14 **members about current immigration issues and policy and what Comprehensive**
15 **Immigration Reform should include; and be it further**

16 **RESOLVED, that NYSUT provide workshops and information about the legal**
17 **issues related to the education of undocumented children beginning with, but not**
18 **limited to, the NEA/NSBA publication “Legal Issues for School Districts Related to**
19 **the Education of Undocumented Children,” and be it further**

20 **RESOLVED, that NYSUT use whatever means at its disposal to develop and**
21 **lobby for a Comprehensive Immigration Reform Policy that would address issues**
22 **including, but not limited to, visa quotas, family reunification, pathways to citizen-**
23 **ship, protection of workers, restoration of the rule of law and enhancement of**
24 **national security.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #4

Opposition to the War in Afghanistan

Submitted by: United University Professions

1 Whereas, the mission, strategy and tasks of counterinsurgency are not those of
2 counterterrorism; and

3 Whereas, the military pursuit of counterinsurgency can create many more terrorists
4 than it kills; and

5 Whereas, counterinsurgency strategy involves nation-building, which would draw
6 the U.S. into a long-term engagement with the corrupt and illegitimate government of
7 Hamid Karzai, with no foreseeable exit from a country well know as the “graveyard
8 of empires”; and

9 Whereas, U.S. standing in the world will benefit from the exercise of more wisdom
10 rather than more raw power; and

11 Whereas, military spending creates many fewer jobs than the same amount spent
12 on infrastructure and other domestic needs (Robert Pollin and Heidi Garrett-Peltier,
13 “The Wages of Peace,” The Nation, March 31, 2008); and

14 Whereas, the \$65 billion to be spent in Afghanistan this year, and the hundreds of
15 billions of dollars required in coming years for counterinsurgency there, are
16 desperately needed for urgent domestic social purposes, not least health care for all,
17 housing relief in the foreclosure crisis, full veterans benefits and the creation of
18 millions of jobs; therefore be it

19 **RESOLVED, that NYSUT opposes any further escalation of U.S. military forces**
20 **in Afghanistan; and be it further**

21 **RESOLVED, that NYSUT calls for the immediate start to the drawing down of**
22 **all U.S. military forces and contractors from Afghanistan; and be it further**

23 **RESOLVED, that NYSUT calls for defeat of terrorist conspiracies and networks**
24 **through appropriate lawful police, intelligence and financial means; and be it further**

25 **RESOLVED, that NYSUT calls for emphasis on diplomatic measures to enlist the**
26 **broadest coalition of nations and organizations in the isolation, arrest, and**
27 **bringing to justice those who engage in terrorist action against the United States;**
28 **and be it further**

29 **RESOLVED, that NYSUT calls for the redirection of the military budget for**
30 **Afghanistan to urgently needed U.S. social programs; and be it further**

31 **RESOLVED, that NYSUT will undertake an educational campaign on these**
32 **issues among its membership and seek to involve the members in the political**
33 **tasks necessary to implement this resolution in public policy; and be it further**

34 **RESOLVED, that NYSUT will communicate this resolution to its congressional**
35 **delegation and affiliates with a request that they act accordingly.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #5

Opposition to the War in Afghanistan

Submitted by: Professional Staff Congress

1 Whereas, President Bush initiated the war against Afghanistan in 2001 as part of
2 “the war on terror,” claiming that occupation by the United States and its allies would
3 destroy Al-Qaeda bases and remove the threat of terrorism; President Bush also
4 initiated the war in Iraq in 2003, claiming that Iraq harbored weapons of mass
5 destruction and had been involved in the murderous September 11th attacks; and

6 Whereas, NYSUT, at its 2008 Representative Assembly and the AFT at its 2008
7 Convention, joined millions of people around the world—as well as the overwhelming
8 majority of the U.S. labor movement—in rejecting the false pretenses on which the
9 United States had waged war in Iraq and calling for an immediate end to the war.
10 The resolution passed by both organizations stated that “the ‘war on terror’ is an
11 ideological construct that obscures the real reasons for the war—which include control
12 over wealth and resources;” and

13 Whereas, the war and occupation of Afghanistan, like the war in Iraq, is not a war
14 of defense and not a war in the interest of working people; and

15 Whereas, the war and occupation of Afghanistan has demonstrably not removed
16 the threat of terrorism by Al-Qaeda or other groups; Al-Qaeda has largely left
17 Afghanistan, but continues to operate elsewhere; and

18 Whereas, the war in Afghanistan has dragged on for more than eight years, with
19 casualties escalating every year: 929 Americans dead and 4,434 wounded
20 (Department of Defense, 12/01/09), and more than 12,000 Afghani civilians dead,
21 many from U.S. airstrikes and unmanned drone attacks; and many more have been
22 maimed or driven into refugee camps; and

23 Whereas, three major human rights groups—Amnesty International, Human Rights
24 First and Human Rights Watch—have documented extensive human rights violations
25 by U.S. and coalition forces—including bomb, drone and missile attacks on
26 civilians—and the detention and, in some cases, torture of hundreds of Afghans, some
27 held for years without trial at the Bagram Air Base and Detention Center (in
28 Afghanistan) and at Guantánamo Bay; and

29 Whereas, as stated in a September 2009 report by General Stanley McChrystal, now
30 commander of U.S. and NATO forces in Afghanistan, “Civilian casualties and collateral
31 damage to homes and property resulting from an over-reliance on firepower and
32 force protection have severely damaged ISAF’s [The International Security Assistance
33 Force’s] legitimacy in the eyes of the Afghan people;” and

34 Whereas, since 2001; U.S. taxpayers have spent \$230 billion on the war in
35 Afghanistan, at a time when the money was desperately needed for domestic
36 purposes, including the creation of jobs, education, health care for all, housing relief
37 in the foreclosure crisis and full veterans’ benefits; and

38 Whereas, the U.S.-backed government of Hamid Karzai promulgated the Shiite
39 Personal Status Law, restricting the rights of women, a law the United Nations Higher
40 Commissioner for Human Rights condemned as sanctioning marital rape; and

41 Whereas, the voice of the labor movement needs to be heard in the national
42 debate on Afghanistan, even—perhaps especially—when it is in disagreement with a
43 president overwhelmingly supported by labor; therefore be it

44 **RESOLVED, that NYSUT call on its national affiliates, the AFT and NEA, to urge**
45 **the United States government not to extend and expand the war in Afghanistan,**
46 **even for a period of months, but rather to begin immediately the withdrawal of**
47 **all troops, mercenaries, contractors and weapons from Afghanistan; and be it**
48 **further**

49 **RESOLVED, that NYSUT undertake an educational campaign on these issues**
50 **among its membership and seek to involve its members in the political work**
51 **necessary to bring about an end to the war; and be it further**

52 **RESOLVED, that NYSUT continue to call for full support for returning troops,**
53 **including but not limited to adequate health care (including both mental and**
54 **physical health), job training, placement in jobs paying a living wage and access**
55 **to education and student financial aid; and be it further**

56 **RESOLVED**, that NYSUT call for the reallocation of the funds that would other-
57 wise be directed to the war in Afghanistan to the urgently needed social programs
58 and job creation for working people in this country, and to expenditures for
59 infrastructure and social programs for the Afghani people to facilitate not only
60 peace, but peace with justice; and be it further
61 **RESOLVED**, that NYSUT communicate this resolution to the New York State
62 congressional delegation and to NYSUT's affiliates.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #6

Support for Women's Rights

Submitted by: Port Jefferson Station Teachers Association

1 Whereas, women comprise more than 60 percent of NYSUT's membership; and
2 Whereas, domestic violence against women is on the rise in New York State with
3 one in four intimate partner violence cases involving a child witness; and
4 Whereas, wage discrimination and wage discrepancies against women exist
5 because of loopholes in the Equal Pay Act of 1963; and
6 Whereas, women's spending focuses more on health care, education and the well-
7 being of children; and
8 Whereas, women continue to be underrepresented in the political arena, both
9 nationally and internationally; and
10 Whereas, reproductive choice should be an inalienable right for every woman,
11 regardless of social and/or economic status; and
12 Whereas, female babies and young girls continue to go "missing" and/or are forced
13 into sexual slavery at an alarming rate with little or no public knowledge or outcry;
14 therefore be it

15 **RESOLVED**, that NYSUT support women's rights issues as it moves toward its
16 broader social justice agenda; and be it further

17 **RESOLVED**, that NYSUT support legislation that closes the loopholes in the
18 Equal Pay Act of 1963; and be it further

19 **RESOLVED**, that NYSUT gather and provide information to further educate its
20 members and staff about wage inequities for women and domestic violence
21 against women; and be it further

22 **RESOLVED**, that NYSUT work with its national affiliates, the AFT and NEA, to
23 embark on a systematic program of education for its members that establishes
24 once and for all an understanding that all people, including but not limited to
25 women, must be treated equally.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

College and University

Resolution #7

New York State Community College Funding

Submitted by: Faculty Association Suffolk County Community College

1 Whereas, State Education Law Article 126, Sec. 6304 states that the funding for
2 community colleges should be divided equally among the state, the local sponsor and
3 the student; and
4 Whereas, annually the state exempts itself from this law; and
5 Whereas, the percentage of state and county contributions has steadily decreased
6 and student tuition has steadily increased; and
7 Whereas, community colleges often serve those who can least afford a higher
8 education; and
9 Whereas, enrollment at New York State community colleges is at an all-time high of
10 12 percent; and

11 Whereas, community colleges have not received an increase over the last two years
12 and, in fact, in 2009 received a mid-year cut of \$130 per FTE; therefore be it

13 **RESOLVED, that NYSUT seek legislation to mandate the funding levels set forth**
14 **in education law Article 126, Sec. 6304 in order to uphold the original intent and**
15 **letter of the law.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #8

NYSUT Statement on Proposed New Community College At CUNY

Submitted by: Professional Staff Congress

1 Whereas, NYSUT believes strongly in equal access to high-quality education. As an
2 education union, we strongly support expansion of public higher education in New
3 York and welcome opportunities for genuine academic innovation. We are proud
4 that New York led the effort to create high-quality, free, public education, starting
5 with the 1847 founding of The Free Academy, which later became the City University
6 of New York. For more than 150 years, faculty and staff in New York State's public
7 colleges and universities have developed innovative curriculum and pedagogy in
8 collaboration with our unique student population; and

9 Whereas, educational innovation designed to help students to engage with and
10 even change the world continues to flourish at New York's public colleges. It

11 flourishes in a particular way at the community colleges, which include many stu-
12 dents from groups that have traditionally been excluded from college education; and

13 Whereas, in August 2008, the Chancellor of the City University of New York issued
14 a "concept paper" for a proposed new community college at CUNY. The proposal is
15 being aggressively marketed by CUNY not only as a blueprint for a CUNY institution,
16 but as a statewide and national model for public community college education. As
17 the federal government becomes increasingly interested in new models for
18 community college education—having passed more higher education legislation in the
19 last three years than at any other time in several decades—all of NYSUT has a stake in
20 the outcome of CUNY's community college proposal; and

21 Whereas, NYSUT vigorously supports not just innovation, but also expansion of
22 public higher education itself. Mass access and intellectually ambitious education are
23 deeply compatible. NYSUT joins the PSC in supporting CUNY's historic mission of
24 providing an intellectually ambitious liberal arts education to "the children of the
25 people, the children of the whole people;" and

26 Whereas, at a moment when enrollment at CUNY's community colleges is at its
27 highest-ever level, however, NYSUT questions the strategy of proposing a new
28 community college that is not designed to offer significant relief to overcrowding.
29 Enrollment in the proposed new college will reach only 3,000 at its peak. NYSUT
30 also questions the strategy of devoting resources to a small, boutique college at a
31 time when the state and city budgets are in crisis and when CUNY's existing colleges
32 are suffering from years of underfunding; therefore be it

33 **RESOLVED, that while NYSUT is grateful for the opportunity the proposal of a**
34 **new college provides for public discussion, and while we commend the CUNY**
35 **faculty and staff who have worked to enrich the proposal, NYSUT cannot support**
36 **CUNY's proposal for a new community college in its current form.**

37 ■ **We urge the New York State Department of Education to withhold approval**
38 **until the issues below are satisfactorily resolved.**

39 ■ **We call on CUNY Chancellor Matthew Goldstein's administration to redraft**
40 **the proposal in a way that addresses the issues below.**

41 ■ **We ask our members, including the CUNY faculty and staff, to be guided by**
42 **the principles enunciated below as they engage in institutional and curriculum**
43 **planning for the proposed new college.**

44 ■ **We call on both higher education and K-12 members throughout the state to**
45 **discuss the implications of the proposed new model of community college**
46 **education for their students.**

47 1) Liberal arts education.

48 The proposed new college must offer students a rich liberal arts education, not
49 a diminished version of college. CUNY's proposed new community college offers
50 only 12 majors, all of them designed to speed students to graduation. Important
51 as student success is, "on-time" graduation, as defined by standards that often fail
52 to measure the actual progress of community college students, is an inadequate
53 guide to developing a college curriculum. A college curriculum should be driven
54 by academic, pedagogic and intellectual imperatives, not by either flawed
55 measures of progress or the presumed needs of the market. To start with the
56 instrumental goal of maximizing graduation rates and then design a curriculum to
57 fit that goal is to work backwards. Such a college, especially one marketed as a
58 national model, would offer a dangerous precedent for community colleges and
59 public higher education generally, especially at a time when educational "reform"
60 is being driven by a regime of testing rather than teaching.

61 2) Permanent, tenured or tenure-track faculty.

62 The new college must have permanent, tenured/tenure-track faculty whose
63 appointments reside at the proposed newly chartered institution. A faculty
64 composed mainly of adjuncts or of faculty whose primary appointments are at
65 other colleges is unacceptable—important as such faculty's contributions are.
66 Without tenured faculty whose academic home is the proposed new college,
67 students lose an essential component of a college education—sustained contact
68 with a permanent faculty—and educational quality is compromised. Research
69 capacity is also compromised in an institution with few or no permanent full-time
70 faculty, and academic freedom is put at risk.

71 3) Full-time/part-time ratio.

72 The new college must meet CUNY's own "Performance Goals" for the ratio of
73 full-time to part-time faculty. Past CUNY Master Plans have stated a goal of 70
74 percent full-time to 30 percent part-time faculty. For a college that proposes to
75 model exemplary teaching and learning conditions, a 70/30 ratio should be the
76 minimum standard. Ideally, all colleges should provide equitable compensation,
77 benefits and working conditions for the part-time faculty they do employ; the
78 empirical evidence shows that part-time faculty who enjoy such support are better
79 able to provide a rich, full educational experience for students.

80 4) Faculty governance.

81 Governance is a responsibility and a duty of the faculty. The governance plan
82 for the new community college must, at a minimum, meet the standards for
83 faculty governance set forth in the CUNY Bylaws, Section 8.6, which specifies
84 faculty responsibility for formulation of policy on curriculum, on admission and
85 retention of students, on awarding college credit, on granting degrees and other
86 issues. The governance plan of the proposed new college must also reflect the
87 governance plans in place throughout CUNY and at the six standing community
88 colleges.

89 5) Academic departments and elected department chairs.

90 Faculty governance and professional autonomy are essential to any new college:
91 they ensure academic integrity. As part of the governance plan, the proposed new
92 college must be organized into academic departments and must include elected
93 department chairs and personnel and budget committees. Faculty must hold
94 primary responsibility for hiring, reappointment, tenure and promotion.

95 6) Academic freedom.

96 The governance plan for the new community college must affirm, in the
97 strongest terms, its commitment to academic freedom. All faculty members,
98 whether full-time or part-time, and all instructional staff, to the extent that their
99 work involves teaching, research, publication of results and selection of library
100 materials, must be protected by academic freedom. Academic freedom must be
101 guaranteed through tenure, a strong governance structure, the presence of a
102 permanent faculty and the other protections won historically by faculty nationally
103 and in New York State.

104 7) Adherence to the union contract.

105 The collective bargaining agreement between the PSC and CUNY supports
106 academic quality and professional integrity by mandating compensation, benefits,
107 workload, due process rights and other rights and protections. It is assumed that
108 the proposed new college will be brought into compliance with the collective
109 bargaining agreement and that the features of the current proposal that are in

110 violation of the contract will be changed or negotiated with the union.

111 8) Open admissions and access.

112 The proposed new community college must adhere to CUNY's open admissions
113 policy. The new college proposal, as it now stands, practices economic
114 discrimination by admitting only students who are able to attend full time in their
115 first year, and by not offering stipends to replace earnings that students would
116 otherwise achieve from part-time or even full-time employment while in college.
117 That economic discrimination, and the requirement that entering students be
118 remediation-free, violates CUNY's policy of open admissions at the community
119 colleges.

120 9) Unequal resources.

121 The superficial attraction of a new college must not be allowed to divert
122 attention from the real problem facing all of New York State's public colleges and
123 universities—the political decision to starve public higher education of the
124 resources it needs. The death-by-a-thousand-cuts suffered by CUNY and SUNY
125 throughout the three decades cannot be reversed by the creation of one small
126 new college. The proposed new community college must not be allowed to divert
127 resources from other CUNY colleges or to establish a tiered system of resources
128 for the existing community colleges. At a time when public community colleges
129 are experiencing record applications for admissions, and when both SUNY and
130 CUNY are being buffeted by severe budget cuts, allocating adequate funds to the
131 state's existing colleges should be New York's priority.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #9

Enough! NYSUT Will Not Tolerate Further Budget Cuts to Public Higher Education

Submitted by: Professional Staff Congress

1 Whereas, New York State, as a center of national and international political,
2 cultural and intellectual life, should have a pre-eminent public higher education
3 system; and

4 Whereas, New York State made a promise to all of its children, following the 2007
5 resolution of the Campaign for Fiscal Equity and powerful advocacy by NYSUT, to
6 provide them with a public education that prepares them well for college or a career;
7 and

8 Whereas, New York State is breaking that promise and betraying its children by
9 demanding that they be prepared for college and then failing to support SUNY and
10 CUNY, the colleges that most of them attend. For example, 70 percent of the 34,879
11 first-time freshman enrolled at CUNY in 2008 were graduates of New York City public
12 schools; and

13 Whereas, CUNY and SUNY have suffered decades of forced austerity due to
14 chronic disinvestment in public higher education by New York State—from 1991 to
15 2008, state funding of CUNY senior colleges fell 14 percent, and state funding for
16 SUNY fell by 4.8 percent in per-student, inflation-adjusted dollars; and

17 Whereas, in June 2008 the state's own commission, the New York State
18 Commission on Higher Education, issued a final report which found that New York
19 State's funding policies for CUNY and SUNY had been short-sighted, and
20 recommended increasing state investments in public higher education, arguing:

21 The Commission has grave concerns about our public institutions, SUNY and
22 CUNY. While making progress on many fronts, they face a chronic problem: too
23 little revenue, too little investment. . . . Revenue shortages have forced campuses to
24 compromise academic quality, especially with respect to full-time faculty; and

25 Whereas, "SUNY and CUNY have been cut disproportionately, more than any other
26 single State agency," as Executive Vice President Alan Lubin said in his October 13,
27 2009 testimony to the New York State Senate; and

28 Whereas, over the past two years alone, CUNY and SUNY have seen their funding
29 deeply cut: SUNY has been cut \$410 million over the last 18 months and CUNY lost
30 \$112.9 millions; and

31 Whereas, in the mid-year Deficit Reduction Plan passed by the State Legislature in
32 December 2009, the Legislature rejected all proposed cuts to K-12 public education

33 but imposed further cuts on public higher education, agreeing to a 5 percent cut in
34 operating funding for CUNY and a 5.5 percent cut in base aid to SUNY and CUNY
35 community colleges, and tacitly supporting the governor's previous cut of 5 percent to
36 SUNY operating aid [details may be refined]; and

37 Whereas, CUNY and SUNY have pursued the strategy of charging students more
38 and more for tuition to fill the hole in funding left by the state, and then cramming
39 more and more students into already overcrowded institutions in order to boost
40 revenue further; and

41 Whereas, the result is that the quality of education suffers—students and their
42 families pay more and get less: classes are increased, course offerings are reduced,
43 facilities are in dire need of repair, full-time faculty are too few, part-time faculty are
44 over-used and underpaid, and damage is being done that will take a generation to
45 repair; and

46 Whereas, student enrollment has skyrocketed while state support has fallen—CUNY
47 enrollment levels increased in the 2009-2010 academic year by 6.4 percent in the
48 senior colleges and 11.7 percent in the community colleges; and

49 Whereas, now more than ever, New York State should be investing—not
50 disinvesting—in SUNY and CUNY; investment in public higher education has the
51 highest multiplier effect of any investment the state can make—every dollar invested
52 produces 24 dollars in increased tax revenue; and

53 Whereas, even in the current severe budget crisis, there are better choices the state
54 can make—such as ending waste, using reserve funds, closing loopholes, and reforming
55 the tax structure—rather than making senseless cuts to public higher education; and

56 Whereas, in 2008, after serious deliberation, NYSUT withheld endorsements from
57 legislators whose proposed budget actions on K-12 education would have had the
58 result of devastating education funding, and whereas that decision helped to change
59 state policy on education support; therefore be it

60 **RESOLVED, that the NYSUT Board of Directors announce that public higher**
61 **education has suffered enough and that NYSUT will not tolerate any further cuts**
62 **in state support in FY 2011 to the operating funds of CUNY, SUNY or the public**
63 **community colleges; and be it further**

64 **RESOLVED, that the NYSUT officers seriously consider informing legislators**
65 **that they will recommend to NYSUT's endorsement committees that they withhold**
66 **endorsement from any elected official or candidate who fails to support full**
67 **funding by New York State in FY 2011 to the operating budgets of CUNY, SUNY or**
68 **the public community colleges.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #10

Enough! NYSUT Will Not Tolerate Further Budget Cuts to Public Higher Education

Submitted by: United University Professions

1 Whereas, New York State, as a center of national and international political, cultural
2 and intellectual life, should have a preeminent public higher education system; and

3 Whereas, New York State made a promise to all of its children, following the 2007
4 resolution of the Campaign for Fiscal Equity and powerful advocacy by NYSUT, to
5 provide them with a public education that prepares them well for college or a career;
6 and

7 Whereas, New York State is breaking that promise and betraying its children by
8 demanding that they be prepared for college and then failing to support SUNY and
9 CUNY, the colleges that most of them attend. For example, 70 percent of the 34,879
10 first-time freshmen enrolled at CUNY in 2008 were graduates of New York City public
11 schools and 87.7 percent of all students at the SUNY state-operated campuses are
12 from New York; and

13 Whereas, CUNY and SUNY have suffered decades of forced austerity due to
14 chronic disinvestment in public higher education by New York State – from 1991 to
15 2008, state funding of CUNY senior colleges fell 14 percent, and more recently at
16 SUNY, between the 2001-02 and 2009-10 academic years, state funding fell by \$88
17 million. With enrollment growth and increases in mandatory costs considered, these

18 cuts result in huge reductions in per-student dollars; and

19 Whereas, in June 2008, the state's own commission, the New York State
20 Commission on Higher Education, issued a final report which found that New York
21 State's funding policies for CUNY and SUNY had been short-sighted, and
22 recommended increasing state investments in public higher education, arguing:

23 The Commission has grave concerns about our public institutions, SUNY and
24 CUNY. While making progress on many fronts, they face a chronic problem: too
25 little revenue, too little investment . . . Revenue shortages have forced campuses to
26 compromise academic quality, especially with respect to full-time faculty; and

27 Whereas, "SUNY and CUNY have been cut disproportionately, more than any other
28 single State agency," as Executive Vice President Alan Lubin said in his October 13,
29 2009 testimony to the New York State Senate; and

30 Whereas, over the last two years alone, CUNY and SUNY have seen their funding
31 deeply cut: SUNY has been cut \$410 million over the last 18 months and CUNY lost
32 \$112.9 million; and

33 Whereas, the mid-year Deficit Reduction Plan passed by the State Legislature in
34 December 2009, rejected all proposed cuts of K-12 public education but imposed
35 further cuts on public higher education, agreeing to a 5 percent cut in operating
36 funding for CUNY and a 5.5 percent cut in base aid to SUNY and CUNY community
37 colleges, thereby supporting the governor's previous cut of 5 percent to SUNY
38 operating aid; and

39 Whereas, CUNY and SUNY have pursued the strategy of charging students more
40 and more for tuition to fill the hole in funding left by the State, and then cramming
41 more and more students into already overcrowded institutions in order to boost
42 revenue further; and

43 Whereas, the result is that the quality of education suffers - students and their
44 families pay more and get less: classes are increased, course offerings are reduced,
45 facilities are in dire need of repair, full-time faculty are too few, part-time faculty are
46 overused and underpaid, and damage is being done that will take a generation to
47 repair; and

48 Whereas, student enrollment has skyrocketed while state support has fallen -
49 CUNY enrollment levels increased in the 2009 - 2010 academic year by 6.4 percent in
50 the senior colleges and 11.7 percent in the community colleges, while SUNY's
51 enrollment increased nearly 6 percent; and

52 Whereas, now more than ever, New York State should be investing - not
53 disinvesting - in SUNY and CUNY; investment in public higher education has the
54 highest multiplier effect of any investment the state can make - every dollar invested
55 produces \$24 in increased tax revenue; and

56 Whereas, even in the current severe budget crisis, there are better choices the state
57 can make - such as ending waste, using reserve funds, closing loopholes, and
58 reforming the tax structure - rather than making senseless cuts to public higher
59 education; and

60 Whereas, in 2008, after serious deliberation, NYSUT withheld endorsements from
61 legislators whose proposed budget actions on K-12 education would have had the
62 result of devastating education funding; and

63 Whereas, that decision helped to change state policy on education support;
64 therefore be it

65 **RESOLVED, that the NYSUT Board of Directors be asked to announce that**
66 **public higher education has suffered enough and that NYSUT will not tolerate**
67 **any further cuts in state support in FY 2011 to the operating funds of CUNY,**
68 **SUNY or the public community colleges; and be it further**

69 **RESOLVED, that the NYSUT officers be asked to inform legislators that they**
70 **will recommend to NYSUT's endorsement committees that they withhold**
71 **endorsement from any elected official or candidate who supports or votes to**
72 **accept such budget reductions.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #11

Opposition to SUNY Flexibility

Submitted by: United University Professions

1 Whereas, the State University of New York has, for several years, proposed
2 legislation to implement its so-called “flexibility” initiatives; and

3 Whereas, these proposals represent a collection of vague and onerous provisions
4 which provide the University with the authority to unilaterally raise tuition, including
5 differential tuition, dispose of campus property and enter into variations of public/
6 private ventures; and

7 Whereas, the State University has never provided any analysis to demonstrate that
8 these provisions are needed, or why it would be appropriate to eliminate the
9 legislative and executive oversight that now exists; and

10 Whereas, in recent years, the State University has greatly shifted its priorities from
11 ensuring access and quality to ventures such as public/private consortia, in an effort
12 to advance the privatization of the University System; and

13 Whereas, the SUNY proposals fail to recognize that the University was established
14 as a public system of higher education to ensure that every New York resident would
15 have access to an affordable and high-quality education; and

16 Whereas, the corporatization of the University has already produced negative
17 consequences, as tens of thousands of qualified applicants are being denied
18 admission in increasing numbers each year; and

19 Whereas, UUP strongly supports the legislative and executive oversight that now
20 exists to guard against unwarranted and excessive tuition increases; and

21 Whereas, UUP firmly believes that the leasing to private or not-for-profit entities of
22 state-owned assets located on the SUNY campuses, without legislative oversight and
23 public review, is inappropriate and would remove opportunities for future expansion
24 of academic programs and services; and

25 Whereas, the combination of a public university system with not-for-profit or
26 private entities, in the absence of government oversight and public involvement,
27 conflicts with the public mission of the State University with respect to academics,
28 labor and other policies of the state; and

29 Whereas, UUP has provided the State University with in-depth analyses that clearly
30 demonstrate the anti-labor aspects of certain of its proposals as well as documenting
31 the potential damage that could occur to students, faculty and the University’s
32 academic mission; and

33 Whereas, similar SUNY-sponsored proposals were introduced in the 2009-2010
34 legislative session, but were not enacted as the result of UUP and NYSUT advocacy;
35 and

36 Whereas, despite UUP’s concerns, the State University has resubmitted these
37 proposals for legislative and executive action during the 2010-2011 legislative session;
38 and

39 Whereas, in 2008, NYSUT withheld endorsement from legislators whose proposed
40 budget actions with respect to elementary and secondary education would have had
41 severe consequences for New York’s public schools and the children they serve; and

42 Whereas, NYSUT’s efforts in that regard successfully prevented the enactment of
43 those budget actions; therefore be it

44 **RESOLVED, that NYSUT publicly announce its opposition to SUNY flexibility**
45 **proposals that would remove existing governmental oversight of University related**
46 **transactions and affiliations; and be it further**

47 **RESOLVED, that NYSUT inform the appropriate parties that they will**
48 **recommend to NYSUT’s endorsement committees the withholding of endorsement**
49 **from any elected official or candidate who either supports or votes to accept such**
50 **flexibility measures.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #12

Provide Parity In Funding Mechanisms for New York's Public Higher Education Systems

Submitted by: United University Professions

1 Whereas, state support for the State University of New York (SUNY) is
2 appropriated as part of the state operations appropriation budget accounts; and

3 Whereas, under existing state budgetary practice, the governor is perceived to have
4 the authority to administratively, and without legislative action, reduce state spending
5 at any time for agencies appropriated through the state operations appropriation
6 budget accounts; and

7 Whereas, the City University of New York's (CUNY) state support is appropriated
8 as part of the state-local assistance appropriations accounts which, under existing
9 practice, cannot be reduced by the governor in the absence of legislative action; and

10 Whereas, the governor has exercised his flexibility with respect to state operations
11 by unilaterally exercising so-called mid-year reductions; and

12 Whereas, the City University of New York is protected from such unilateral actions
13 to the extent the Legislature chooses to either defer or deny the application of such
14 mid-year reductions to CUNY; and

15 Whereas, commonality exists in both program and mission of the City University of
16 New York and the State University of New York and there should be no distinction
17 granted the executive with respect to funding decisions between the two public
18 higher education systems; therefore be it

19 **RESOLVED, that NYSUT inform the Legislature of the importance of ensuring**
20 **equity between the two public higher education systems by transferring the State**
21 **University of New York's state funded appropriations from the state operations**
22 **appropriations account to the local assistance appropriations account**
23 **commencing in the next appropriation cycle.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Educational Issues I

Resolution #13

Dual Credit Courses – Providing College Course Credit in High Schools

Submitted by: NYSUT Board of Directors

1 Whereas, dual credit courses provided in high schools enable high school students
2 to earn both high school and postsecondary credits for the same course in an effort
3 to increase high school completion and college attendance; and

4 Whereas, the most recent national statistics show that more than 71 percent of the
5 nation's high schools offer such courses with an enrollment in dual credit courses
6 nationally exceeding 1.1 million students; and

7 Whereas, SUNY reports dual credit course enrollment of at least 20,000 high
8 school students and CUNY reports enrollment for its dual credit College Now
9 program of 30,000 high school students; and

10 Whereas, dual credit programs are offered by both private postsecondary
11 institutions and public institutions; and

12 Whereas, the New York State Board of Regents is using dual credit programs as
13 part of a strategy to increase graduation rates by advocating for new programs such
14 as Smart Scholars, a college-in-the-high-school-type program designed to expand Dual
15 Credit opportunities for high school students; and

16 Whereas, the growth, breadth and prospects for future expansion of dual credit
17 and dual credit type programs call for a policy review to guide NYSUT members in
18 both the K-12 and postsecondary sectors in dealing with these trends to ensure the
19 quality of these programs; and

20 Whereas, the NYSUT Board of Directors voted at its December 2007 meeting to
21 authorize the creation of a Dual Credit Task Force to be appointed by President
22 Richard Iannuzzi to examine the issues associated with the provision of college
23 course credit in high schools; and

24 Whereas, the charge from the Board of Directors to the Task Force on Dual Credit
25 is to: develop a common approach to dual credit courses in high schools that is in
26 the best interests of students and NYSUT members, and to review policies of NYSUT
27 and the former NEA/NY with respect to dual credit courses; and

28 Whereas, the Task Force on Dual Credit has reviewed existing programs and
29 current practices in colleges and high schools in New York State, collective bargaining
30 agreements affecting dual credit programs and the policy of the National Alliance of
31 Concurrent Enrollment Partnerships (NACEP); and

32 Whereas, the Task Force on Dual Credit has completed its work and issued a final
33 report with recommendations to the NYSUT Board of Directors that have been
34 reviewed and amended into a comprehensive policy to ensure quality in these
35 programs throughout the state; therefore be it

36 **RESOLVED, that NYSUT adopt the following policy principles to guide member**
37 **locals in both K-12 and higher education when developing and implementing dual**
38 **credit programs with their institutions and school districts:**

39 **Quality**

40 ■ **Dual credit courses offered in the high school shall have course syllabi,**
41 **textbooks and student evaluation instruments (e.g. exams) approved by the**
42 **appropriate academic department of the college or university.**

43 ■ **The high school faculty who are teaching dual credit courses should have the**
44 **equivalent academic credentials as the faculty in the sponsoring college that offers**
45 **the credit for the course. Colleges may approve high school teachers for CTE**
46 **courses that meet the special qualifications for such course.**

47 ■ **The faculty conducting the course should be engaged in collegial interaction**
48 **with the sponsoring college faculty concerning course curriculum and assessment**
49 **through seminars and site visits.**

50 ■ **School districts and sponsoring colleges have a shared responsibility to**
51 **provide opportunities for high school and college faculty to engage in seminars,**
52 **site visits and other activities to ensure continuing quality of dual credit courses.**

53 **Students**

54 ■ **High school students in dual credit courses shall be enrolled in the**
55 **sponsoring college, except when the school district and college make alternative**
56 **agreements to provide the students with college credit.**

57 ■ **High school students should meet course requirements and prerequisites in**
58 **order to enroll in dual credit courses.**

59 ■ **High school students should be informed by the sponsoring college of the**
60 **guidelines for the transfer of credit earned in dual credit courses.**

61 ■ **High school students in dual credit courses shall be held to the same**
62 **standards of achievement as students in on-campus sections.**

63 ■ **Enrollment in dual credit courses should be limited to students in junior and**
64 **senior year of high school, unless the college approves of offering a course in a**
65 **lower grade level or to accelerated students in 9th or 10th grade.**

66 **Oversight**

67 ■ **Dual credit courses should be reviewed annually by faculty from the**
68 **sponsoring college exercising proper oversight to ensure that grading standards**
69 **meet or exceed those of the on-campus sections.**

70 ■ **Dual credit course students should be evaluated using the same methods**
71 **(e.g. labs, papers, portfolios, quizzes) or methods approved by the sponsoring**
72 **college department as on-campus students.**

73 ■ **School districts and sponsoring colleges should be encouraged to follow the**
74 **SUNY guidelines regarding geographic service areas to ensure the quality of dual**
75 **credit courses around the state.**

76 **Collective Bargaining**

77 ■ **The appropriate faculty collective bargaining units should be included in the**
78 **planning for dual credit programs.**

79 ■ **Where applicable, the collective bargaining agreement between the**
80 **sponsoring college and the on-campus faculty collective bargaining body should**

81 recognize and designate the sponsoring college subject area department as having
82 the responsibility and authority for approving dual credit curriculum, assessment
83 and faculty; and be it further
84 **RESOLVED**, that NYSUT work with SED and SUNY to have these principles
85 included in the guidelines for dual credit courses, and it be further
86 **RESOLVED**, that NYSUT work to bring together higher education locals and
87 school district locals for the purpose of promulgating the principles of offering
88 quality dual credit courses throughout New York State.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #14

Support for New Teachers of Languages Other Than English

Submitted by: Albany Public School Teachers Association, Capital Region BOCES, Churchville-Chili Education Association, Corinth Central Teachers Association, Greece Teachers Association, North Warren Teachers Association, Pittsford District Teachers Association, Salem Washington Academy, Saratoga Adirondack BOCES Employees Association, Shenendehowa Teachers Association, South Glens Falls Faculty Association, Webster Teachers Association, Whitehall Teachers Association

1 Whereas, Languages Other Than English (LOTE) is a core subject; and
2 Whereas, there is a national crisis in attracting new members to the teaching
3 profession; and
4 Whereas, New York State superintendents have reported increased difficulty in
5 finding highly qualified teachers of LOTE; and
6 Whereas, mentoring of new teachers is required by law; and
7 Whereas, new LOTE teachers are not always mentored by current LOTE teachers
8 even when such mentors are available; and
9 Whereas, there are skills specific to effective instruction of LOTE that can only be
10 modeled by other practitioners; therefore be it

11 **RESOLVED**, that NYSUT, working with its Subject Area Committee for LOTE,
12 develop a Briefing Bulletin detailing the specific concerns of new LOTE teachers;
13 and be it further
14 **RESOLVED**, that NYSUT, in conjunction with the Education Learning Trust (ELT),
15 develop training for new LOTE teachers in the areas of their greatest concern.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #15

Reauthorization of ESEA (Elementary and Secondary Education Act)

Submitted by: Albany Public School Teachers Association, Capital Region BOCES, Churchville-Chili Education Association, Greece Teachers Association, North Warren Teachers Association, Pittsford District Teachers Association, Salem Washington Academy, Saratoga Adirondack BOCES Employees Association, Shenendehowa Teachers Association, South Glens Falls Faculty Association, Webster Teachers Association, Whitehall Teachers Association

1 Whereas, the reauthorization of Elementary and Secondary Education Act (ESEA)
2 (NCLB) is currently under way; and
3 Whereas, current language classifies Languages Other Than English (LOTE) as a
4 core subject; and
5 Whereas, the majority of colleges and universities currently require two or more
6 years of language study and the College Board prefers five years of study in one
7 language; and
8 Whereas, the federal government is actively calling for more people to become
9 fluent in at least one other language; and
10 Whereas, studying other languages has been shown to contribute to increased
11 cognitive skills, better performance on standardized tests and a greater understanding
12 of others while providing life-long learning opportunities; therefore be it

13 **RESOLVED**, that NYSUT work with its national affiliates, the AFT and NEA, to
14 sponsor language to be included in the reauthorization of the ESEA that supports
15 consecutive, long sequence of study of a second language beginning in the
16 elementary grades.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #16

Support for Languages Other Than English (LOTE)

Submitted by: Albany Public School Teachers Association, Capital Region BOCES, Churchville-Chili Education Association, Greece Teachers Association, North Warren Teachers Association, Pittsford District Teachers Association, Salem Washington Academy, Saratoga Adirondack BOCES Employees Association, Shenendehowa Teachers Association, South Glens Falls Faculty Association, Webster Teachers Association, Whitehall Teachers Association

1 Whereas, the president of the United States, the New York State commissioner of
2 education, and many prominent leaders in the fields of education and economics have
3 spoken in support of students knowing at least one language other than English; and
4 Whereas, standards for Languages Other Than English (LOTE) are recognized by
5 the State of New York; and
6 Whereas, there are two assessments for LOTE in New York: the Second Language
7 Proficiency Examination and the Regents Comprehensive Examination; and
8 Whereas, recent events have underscored the need to provide students with an
9 increased cultural awareness and proficiency in at least one other language; and
10 Whereas, language education in the 21st century includes a commitment to the
11 study of long sequences of world languages beginning in the early grades to enable
12 students to develop proficiency needed to effectively communicate with people from
13 other cultures whether here or abroad; and
14 Whereas, the standards for LOTE need to be proficiency based; and
15 Whereas, the current New York State Standards for LOTE have not been reviewed
16 since 1996; and
17 Whereas, there have not been any current field research, data collection or
18 recommendations to the Board of Regents about the teaching and learning of LOTE;
19 and
20 Whereas, there is currently no associate at the State Education Department
21 exclusively dedicated to Languages Other Than English; and
22 Whereas, there is currently no easily accessible listing for LOTE on the SED Web
23 site; therefore be it

24 **RESOLVED**, that NYSUT support Bill A01851 which calls for the timely review
25 of the New York State Standards for Languages Other Than English, taking into
26 account the five standards from the National Standards for LOTE developed by the
27 American Council on Teaching of Foreign Languages; and be it further

28 **RESOLVED**, that NYSUT urge the State Education Department to provide
29 support to Languages Other Than English by hiring associates to deal exclusively
30 with LOTE; and be it further

31 **RESOLVED**, that NYSUT urge the State Education Department to reinstate a
32 visible, easily accessible link for LOTE on its Web site.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #17

Gifted and Talented Education

Submitted by: Oyster Bay-East Norwich Teachers Association

1 Whereas, the presence and support of Gifted and Talented programs is diminishing
2 in our schools;
3 Whereas, currently New York State Education Law does not require schools to
4 provide any services to Gifted and Talented students; and
5 Whereas, Gifted and Talented learners have diverse and special learning needs; and

6 Whereas, No Child Left Behind has shifted the educational emphasis toward
7 minimum standards; and
8 Whereas, 61 percent of classroom teachers in the U.S. have no training in meeting
9 the needs of the Gifted and Talented yet Gifted students spend more than 80 percent
10 of their time in their regular classroom; and
11 Whereas, statistics show that Gifted and Talented learners, without instructional
12 and curricular differentiation, will often experience low self-esteem, and 18-25
13 percent drop-out rate and high rates of suicide; therefore be it

14 **RESOLVED, that NYSUT collaborate with other recognized organizations such**
15 **as the NAGC and AGATE and work with the New York State Education**
16 **Department to establish minimum and exemplary standards for Gifted and**
17 **Talented program design, program administration and management, student**
18 **identification, curriculum and instruction, socio-emotional guidance and**
19 **counseling, professional development and program evaluation for the education**
20 **of Gifted and Talented learners, Pre-K-Grade 12; and be it further**

21 **RESOLVED, that NYSUT seek legislation to develop standards for teacher**
22 **training in meeting the needs of Gifted and Talented learners; and be it further**

23 **RESOLVED, that NYSUT seek legislation to hold districts accountable for the**
24 **development and implementation of Gifted and Talented individualized education**
25 **plans, Pre-K-Grade 12; and be it further**

26 **RESOLVED, that NYSUT seek legislation to require that a certified Gifted and**
27 **Talented specialist be responsible for the development of Gifted and Talented**
28 **learners' individualized education plans; and be it further**

29 **RESOLVED, that NYSUT strongly urge the governor to increase the aid to**
30 **school districts for the individualized education of Gifted and Talented learners.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #18

Class Size for Limited English Proficiency Classrooms

Submitted by: Syracuse Teachers Association

1 Whereas, the population of students requiring bilingual and Limited English
2 Proficiency (LEP) instruction and services has grown exponentially over the past few
3 years and continues to grow; and

4 Whereas, LEP students arrive with a myriad of experiences and academic abilities,
5 many with little or no formal education; and

6 Whereas, sound educational practices clearly show that students with limited
7 English capabilities may need more intensive academic instruction; and

8 Whereas, Commissioner's Regulation Part 154 of New York State Education Law
9 governing the bilingual and free-standing ESL programs does not specify a class-size
10 limit for LEP students; and

11 Whereas, in districts with large populations of LEP students, LEP class sizes are
12 held to the same limits as mainstream classrooms (i.e., 30 or a total load of 125 per
13 teacher); therefore be it

14 **RESOLVED, that NYSUT urge the commissioner of education and Board of**
15 **Regents to amend CR Part 154 to establish class-size limits for LEP students,**
16 **based on language proficiency level, at 15 for beginning classes and 20 for**
17 **intermediate and advanced classes, in elementary and secondary schools; and be**
18 **it further**

19 **RESOLVED, that NYSUT communicate this position to its national affiliates AFT**
20 **and NEA, for their endorsement.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #19

Individualized Education Plans for Limited English Proficiency Students

Submitted by: Syracuse Teachers Association

1 Whereas, forthcoming RTI legislation may require an Individualized Education Plan
2 (IEP) for every individual Limited English Proficiency (LEP) student, similar to an IEP
3 for students with disabilities; and

4 Whereas, implementation of such would create excessive paperwork for classroom
5 teachers, excessive testing of students and impede classroom instructional time;
6 therefore be it

7 **RESOLVED, that NYSUT strongly encourage the commissioner of education and**
8 **the Board of Regents to institute provisions that Individualized Education Plans**
9 **should only be required as an intervention for those LEP students suspected of**
10 **having a disability; and be it further**

11 **RESOLVED, that NYSUT work with the commissioner to ensure that a testing**
12 **coordinator or specialist be provided for each building containing a bilingual or**
13 **free-standing ESL program to implement the necessary procedures to complete**
14 **the evaluations in a private setting outside of the classroom.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #20

School-Related Professionals for Limited English Proficiency Classrooms

Submitted by: Syracuse Teachers Association

1 Whereas, the population of students requiring bilingual and Limited English
2 Proficiency (LEP) instruction and services has grown exponentially over the past few
3 years and continues to grow; and

4 Whereas, LEP students arrive with a myriad of experiences and academic abilities,
5 many with little or no formal education; and

6 Whereas, sound educational practices endorse the inclusion of teaching assistants
7 and school-related professionals to support learning of high needs students,
8 particularly IEP and LEP students; and

9 Whereas, Commissioner's Regulation Part 154 of New York State Education Law
10 governing the bilingual and free-standing ESL programs makes no provisions for
11 providing teaching assistants and school-related professionals in LEP classrooms;
12 therefore be it

13 **RESOLVED, that NYSUT urge the commissioner of education and the Board of**
14 **Regents to amend CR Part 154 to require that at least one teaching assistant or**
15 **other school-related professional be designated for every 100 LEP students within**
16 **a building containing a free-standing ESL program.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Educational Issues II

Resolution #21

Inclusion of SRPs on Teacher Center Policy Boards

Submitted by: Albany Public School Teachers Association, Capital Region BOCES, Corinth Central Teachers Association, Elmira Instructional Support Educational Association, Guilderland Teachers Association, Hempstead Teaching Assistants Association, Johnson City Employees Association, North Warren Teachers Association, Owego Apalachin Employees Association, Retiree Council 23, Sachem Central Teachers Association, Saratoga Adirondack BOCES Employees Association, Scarsdale Association of Educational Secretaries, Somers School Related Personnel, Syracuse Teachers Association, Troy Teachers Association, Union-Endicott Maintenance Workers Association, United Teaching Assistants of Harborfields, Valhalla Teachers Association, Whitehall Teachers Association

1 Whereas, teacher centers provide necessary professional development for
2 educational personnel; and
3 Whereas, NYSUT annually lobbies for necessary funds to support teacher centers;
4 and
5 Whereas, school-related professionals play an integral role in the educational
6 process; and
7 Whereas, professional development opportunities for school-related professionals
8 are often limited or nonexistent; and
9 Whereas, Level III teaching assistants are required to obtain 75 hours of
10 professional development every five years to maintain their New York State
11 certification; therefore be it

12 **RESOLVED, that NYSUT urge the Legislature to amend section 316 of**
13 **Educational Law to include school-related professionals on all teacher center**
14 **boards; and be it further**

15 **RESOLVED, that NYSUT work with the commissioner of education and**
16 **individual teacher centers to ensure the availability of professional development**
17 **opportunities for all school-related professionals.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #22

Inclusion of SRPs on Teacher Center Policy Boards

Submitted by: New Hartford Employees Union, Sauquoit Valley Non-Teaching Association

1 Whereas, teacher centers provide necessary staff development for educational
2 personnel; and
3 Whereas, NYSUT annually lobbies for necessary funds to support teacher centers;
4 and
5 Whereas, school-related professionals play an integral role in the education of
6 students; and
7 Whereas, school-related professionals are often overlooked when it comes to
8 professional development; therefore be it

9 **RESOLVED, that NYSUT urge the Legislature to amend section 316 of**
10 **Educational Law to include school-related professionals on all teacher center**
11 **boards; and be it further**

12 **RESOLVED, that NYSUT work with the commissioner of education and**
13 **individual teacher centers to ensure the availability of professional development**
14 **opportunities for all school-related professionals.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #23

Teaching Assistant Tenure

Submitted by: Albany Public School Teachers Association, Capital Region BOCES, Elmira Instructional Support Educational Association, Guilderland Teachers Association, Hempstead Teaching Assistants Association, Johnson City Employees Association, Retiree Council 23, Sachem Central Teachers Association, Saratoga Adirondack BOCES Employees Association, Scarsdale Association of Educational Secretaries, Somers School Related Personnel, Syracuse Teachers Association, Union-Endicott Maintenance Workers Association, United Teaching Assistants of Harborfields, Valhalla Teachers Association

1 Whereas, full-time, probationary teaching assistants are afforded the opportunity of
2 tenure; and

3 Whereas, teaching assistants are New York State certified instructional staff; and

4 Whereas, there are many inconsistencies within the New York State school districts
5 regarding the process of tenure for teaching assistants; therefore be it

6 **RESOLVED, that NYSUT determine through its regional offices which school
7 districts are not affording tenure to teaching assistants; and be it further**

8 **RESOLVED, that NYSUT work with the commissioner of education to review
9 district tenure practices for teaching assistants.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #24

Withdrawal of Support for the “Race to The Top” Federal Educational Initiative

Submitted by: Adirondack Central School Teachers Association

1 Whereas, the “Race to The Top” federal educational initiative promotes merit pay,
2 charter schools, as well as federal intervention into educational issues strictly
3 protected by states’ rights legislation of the United States Constitution; and

4 Whereas, the “Race to The Top” federal initiative fails to provide meaningful
5 educational reform that would promote the advancement of true quality education for
6 all students in all states of our nation; and

7 Whereas, less than 50 percent of our NYSUT locals statewide agreed to sign this
8 initiative; and

9 Whereas, the “Race to The Top” federal initiative will, in reality, undermine the
10 collective bargaining process that NYSUT’s labor movement was founded on to
11 aggressively promote in order to provide a fair wage, human working conditions and
12 quality educational services for all students of New York State and the nation;
13 therefore be it

14 **RESOLVED, that NYSUT withdraws its support of the “Race to The Top” federal
15 initiative and encourages the Obama administration to work with educational and
16 labor organizations to develop a truly meaningful program to positively improve
17 the quality education for all students in all states.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #25

Review of Math State Assessment Scoring Guidelines

1 *Submitted by: Amsterdam Teachers Association*

2 Whereas, there are inconsistencies in application of scoring policies; and

3 Whereas, in some places, teachers not certified in the subject matter are used for
4 scoring; and

5 Whereas, these tests are high stakes with major implications based on test results;
6 therefore be it

6 **RESOLVED, that NYSUT urge the State Education Department and the Board of**
7 **Regents to review the current suggestions for choosing teachers to score**
8 **assessments and to review the procedures used to train teachers chosen to score.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #26

Revising State Scoring Policies for the Grades 3-8 State Math Assessments

Submitted by: Amsterdam Teachers Association

1 Whereas, the scoring policies for the state grade 3-8 mathematics assessments
2 contain policies that assess student competency at meeting designated standards; and
3 Whereas, certain policies actually lead to inaccurate individual reports for
4 educational providers and for parents about student strengths and weaknesses; and
5 Whereas, certain policies such as not being allowed to consider for credit a
6 student's shown work if showing work is not required (#1 of scoring policies); and
7 Whereas, questions that provide lines for students to explain work and work
8 shown elsewhere may only be considered if the student explicitly indicates that it is
9 part of the answer, even though work may indicate successful understanding of a
10 standard (#9 of scoring policy); and
11 Whereas, the policies set forth in #14 of the scoring policies, the bridging to the
12 last step is extremely punitive and does not encourage many skills being advocated
13 in our standards and taught in our classrooms (i.e. multiply by 100, memorized
14 conversions of fractions, decimals, and percents, etc.); and
15 Whereas, the policies outlined in guidelines #14 do not align with the assessments
16 at the high school level; therefore be it

17 **RESOLVED, that NYSUT urge the State Education Department to update its**
18 **scoring policies to allow for a more accurate picture of students' achievement; and**
19 **be it further**
20 **RESOLVED, that NYSUT encourage the State Education Department to enlist**
21 **the help of practicing teachers to aid in the updating of the scoring policies; and**
22 **be it further**
23 **RESOLVED, that NYSUT encourage the State Education Department to**
24 **eliminate the guidelines set forth in #14 of the scoring guidelines.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #27

The Virtual High School Initiative Should Not Cause A Reduction in Staff or Job Loss

Submitted by: Herricks Teachers Association

1 Whereas, New York State is proposing a virtual high school initiative as part of its
2 Race To The Top grant proposal; and
3 Whereas, the goal of a virtual high school should be to fill a void and only used to
4 provide a particular course which is not available within a district; and
5 Whereas, a virtual high school can not replace the experience of the presence of a
6 teacher in the classroom or the interaction between students and between students
7 and the teacher; and
8 Whereas, a virtual teacher can not be involved in the school community and meet
9 the non-educational needs of students; and
10 Whereas, establishment of a virtual high school should not be used as an excuse
11 to eliminate teaching positions that are essential to the overall well-being of a
12 comprehensive high school; therefore be it
13 **RESOLVED, that NYSUT work to ensure that the establishment of a virtual high**
14 **school will not cause the elimination of any teaching positions and diminish the**
15 **educational experience of students.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Health Care and Workplace Safety

Resolution #28

Mandated Professional Development for School Nurses

Submitted by: Elmira Instructional Support Educational Association, Johnson City Employees Association, Maine Endwell Transportation Association, New Hartford Employees Union, Owego Apalachin Employees Association, Retiree Council 23, Sachem Central Teachers Association, Sauquoit Valley Non-Teaching Association, Scarsdale Association of Educational Secretaries, Somers School Related Personnel, Syracuse Teachers Association, Union-Endicott Maintenance Workers Association, United Teaching Assistants of Harborfields, Valhalla Teachers Association

- 1 Whereas, professional nursing services are provided in the school setting; and
2 Whereas, professional registered nurses care for students who are medically fragile
3 and require multiple disciplines of skilled nursing on a daily basis; and
4 Whereas, professional registered nurses must provide and develop standards of
5 nursing care as required by the New York State Nurse Practice Act; and
6 Whereas, professional registered nurses in the school setting have minimal to no
7 opportunity for professional development due to lack of developed and funded
8 professional development; therefore be it

9 **RESOLVED, that NYSUT work with the New York State Department of**
10 **Education to ensure that at least eight hours of professional development be**
11 **mandated each year for every professional registered nurse who works in an**
12 **educational setting; and be it further**

13 **RESOLVED, that NYSUT lobby the Legislature to provide the necessary funding**
14 **for this training.**

- ADOPTED
 ADOPTED AS AMENDED
 DEFEATED
 REFERRED TO THE BOARD OF DIRECTORS
 TABLED

Resolution #29

School Based Health Clinics

Submitted by: Elmira Instructional Support Educational Association, Johnson City Employees Association, Maine Endwell Transportation Association, New Hartford Employees Union, Retiree Council 23, Sachem Central Teachers Association, Sauquoit Valley Non-Teaching Association, Scarsdale Association of Educational Secretaries, Somers School Related Personnel, Syracuse Teachers Association, Union-Endicott Maintenance Workers Association, United Teaching Assistants of Harborfields, Valhalla Teachers Association

- 1 Whereas, the health care needs of all school-aged children are on the rise; and
2 Whereas, absenteeism in school-aged children has increased due to illness and
3 disease and the lack of health care; and
4 Whereas, the cost of this health care is becoming more prohibitive when students
5 do not qualify for the New York State Child Health Plus or Medicaid; and
6 Whereas, parents are forced to choose between obtaining health care for their child
7 over their jobs, restrictions that may result as loss of income; the inability to leave
8 their place of employment to take their child to a health care provider for fear of
9 losing their jobs; and
10 Whereas, prompt medical diagnosis and treatment provide recovery to shorten the
11 time a student is absent from school; and
12 Whereas, student performance is directly linked to their attendance; therefore be it
13 **RESOLVED, that NYSUT lobby the Legislature for funding and mandating of**
14 **school-based health clinics in every school district.**

- ADOPTED
 ADOPTED AS AMENDED
 DEFEATED
 REFERRED TO THE BOARD OF DIRECTORS
 TABLED

Resolution #30

Opposition to New Federal Guidelines in Regards to Cancer Screening

Submitted by: Retiree Council 5, Rochester Teachers Association

1 Whereas, NYSUT has always taken an active role on health issues, especially breast
2 cancer; and

3 Whereas, the new guidelines on cancer screening, particularly breast cancer, could
4 be interpreted by some health agencies as a cost-effective approach; and

5 Whereas, lives could be lost because of this guideline; therefore be it

6 **RESOLVED, that NYSUT go on record against such guidelines, because one life**
7 **would be too important to lose if these guidelines were to be used for wrongful**
8 **purposes.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #31

Minor Detoxification

Submitted by: Sachem Central Teachers Association

1 Whereas, many highly addictive drugs have increased in potency, purity and
2 availability, causing quicker and more damaging addictions; and

3 Whereas, drug addiction has rapidly increased among school-aged minors; and

4 Whereas, drug addiction creates disastrous familial, societal and legal problems for
5 our communities; and

6 Whereas, detoxification is a complex process that requires medical supervision and
7 family intervention; and

8 Whereas, there is an inequity in the availability of public and private detoxification
9 facilities for adolescents; and

10 Whereas, legislation exists that requires insurance companies to fund treatment of
11 mental health/substance abuse issues on par with all medical and surgical benefits
12 covered by the insurance plan; and

13 Whereas, the members of NYSUT are committed to the education, health and
14 safety of the children of New York State; therefore be it

15 **RESOLVED, that NYSUT urge that public and private detoxification facilities for**
16 **minors be made available within close proximity to the minor's area of residency**
17 **at or above the level of access as available for adults; and be it further**

18 **RESOLVED, that NYSUT support "Denise's law" legislation (S-3664) to**
19 **accomplish these goals.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #32

Mandatory H1N1 and Seasonal Flu Vaccination for Health Care Professionals

Submitted by: United Federation of Teachers

1 Whereas, Governor Paterson has temporarily suspended a New York State
2 emergency regulation enacted August 13, 2009, mandating that health care personnel
3 receive both seasonal influenza and H1N1 vaccines; and

4 Whereas, this regulation required all health care workers in covered health care
5 facilities to be vaccinated for seasonal and swine flu by November 30 in New York
6 State; and

7 Whereas, the Federation of Nurses/UFT supports a voluntary vaccination program
8 and encourages the New York State Department of Health to develop a
9 comprehensive approach to disease management, including a comprehensive
10 infection control program to protect individuals from exposure, a transparent system

11 of monitoring influenza-like illness (ILI), appropriate respiratory protection and a
12 respiratory protection program, and ongoing public education messages; and
13 Whereas, a mandatory vaccination program is the wrong approach to responding
14 to any public health challenge; and
15 Whereas, New York State was the only state to mandate this vaccination, making it
16 a requirement of employment and resulting in discipline for failure to be vaccinated
17 and a charge of "professional misconduct" to the State Education Department and
18 termination of the worker's job; and
19 Whereas, health care workers who became ill due to the required vaccination and
20 were out of work were required to utilize their accrued sick days for any absences;
21 and
22 Whereas, the mandatory program ignored the civil and religious rights and the
23 health history of the individual health care personnel who may wish to decline the
24 vaccination for personal, religious or medical reasons; therefore be it

25 **RESOLVED, that NYSUT help promote a comprehensive disease management**
26 **program for individuals with ILI; and be it further**
27 **RESOLVED, that NYSUT lobby against and continue to oppose any mandatory**
28 **vaccination program.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #33

New York Needs Comprehensive Workplace Programs to Control The H1N1 Flu Epidemic

Submitted by: Professional Staff Congress

1 Whereas, on June 11, 2009, the World Health Organization declared that the
2 outbreak of novel H1N1 flu had reached worldwide epidemic proportions; and
3 Whereas, the U.S. Centers for Disease Control and Prevention (CDC) estimates that
4 between April 1 and November 14, 2009, about 47 million Americans had become
5 infected with this strain of flu, of whom 213,000 had to be hospitalized and about
6 9,800 died (Source: www.cdc.gov/h1n1flu/estimates_2009_h1n1.htm); and
7 Whereas, a large number of those who have died from this flu strain have been
8 children and young adults of school age (5-17 years of age), an unusual target group
9 for strains of flu, which usually affect primarily the sick and elderly; and
10 Whereas, by their public, congregate nature, schools put their teachers, staff and
11 students at elevated risks of H1N1 exposure; and
12 Whereas, as of the end of 2009, novel H1N1 was still at epidemic proportions,
13 according to the CDC; and
14 Whereas, although the outbreak in New York State has fortunately been less severe
15 than originally anticipated, epidemiologists and other medical experts continue to fear
16 a renewed outbreak of this illness, and it is essential that New York be prepared for
17 any future infectious disease emergencies; therefore be it

18 **RESOLVED, that NYSUT call on the State Education Department to develop**
19 **comprehensive public health programs in all New York State schools from**
20 **kindergarten through higher education and all other appropriate**
21 **NYSUT-represented workplaces in New York State, including the following**
22 **components:**
23 ■ **voluntary vaccination programs as appropriate for teachers, staff and**
24 **students against novel H1N1 and ordinary seasonal influenza outbreaks;**
25 ■ **proper hygiene protection at all workplaces, including adequate maintenance**
26 **and cleaning of bathroom and kitchen facilities;**
27 ■ **provision and maintenance of hand-washing stations in all bathroom and**
28 **kitchen facilities, and of hand-washing or sanitizing stations at the entrances to all**
29 **buildings and large classrooms;**
30 ■ **risk and exposure assessment for all employees based on actual job tasks,**
31 **not on job titles;**
32 ■ **provision of appropriate respirators (such as N95 respirators) for those with**
33 **high or very high exposure risk, usually health-care and related workers, who come**
34 **into frequent, close contact with persons known or suspected to have H1N1 flu;**

35 ■ extensive public health education and emergency training for employees and
36 students in the event of a major epidemic outbreak, as well as preventive personal
37 practices which can help limit the spread and impact of flu outbreaks;

38 ■ development of an infectious disease response plan that ensures prepared-
39 ness for possible future infectious disease emergencies; and be it further

40 **RESOLVED**, that NYSUT urge OSHA and New York State PESH to consider
41 adoption of an infectious disease standard to deal with future flu outbreaks and
42 applaud both agencies for adopting a comprehensive approach to protecting
43 worker health and safety during the current H1N1 outbreak and for using their
44 powers under the General Duty Clause of OSHA to enforce their H1N1 exposure
45 guidelines; and be it further

46 **RESOLVED**, that NYSUT encourage its members, both those who fit the higher
47 exposure H1N1 guidelines and those who are in other public health risk groups,
48 to be vaccinated against H1N1, and encourage those who are in risk groups for
49 seasonal flu to get their appropriate vaccinations; and be it further

50 **RESOLVED**, that NYSUT continue to be an advocate for employee choice and
51 firmly oppose mandatory flu vaccination programs in schools and other work-
52 places. Such mandatory programs, with their threats of work sanctions and firings,
53 promote worker hostility and turn discussion away from the virtues of such
54 vaccinations into a dispute over worker rights and management prerogatives.
55 While Governor Paterson withdrew in 2009 his Health Department's requirement
56 for mandatory H1N1 vaccinations of all health workers in New York State – a
57 decision NYSUT applauded-State Health Commissioner Richard Daines has since
58 warned that he may seek to re-instate this requirement in the future; and be it
59 further

60 **RESOLVED**, that NYSUT call on Boards of Education, university administrations
61 and other employer groups to adjust existing policies on absences and sick leave
62 so that such policies will cease to be a disincentive for faculty, staff and students
63 who may be afflicted by the disease to take the single most important measure
64 for public health: self-isolation. Such policy changes must provide for paid sick
65 days on a pro-rata basis for adjunct, temporary, part-time and contingent
66 employees, since many such employees lack even a single day of paid sick leave,
67 and must allow for the accumulation of sick leave.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #34

Generational Strategies for Recruiting and Retaining Health Care Professionals

Submitted by: United Federation of Teachers

1 Whereas, there is a shortage of health care professionals in our current workforce;
2 and

3 Whereas, there are 126,000 unfilled nursing positions at this time with a projected
4 shortage of one million nurses by 2020; and

5 Whereas, each generation has its own set of values, styles and sense of belonging;
6 and

7 Whereas, these differences are characteristic of particular generations, with
8 generations mixing in the workplace more than ever; and

9 Whereas, Generation X is defined as anyone born between 1965 and 1979; and

10 Whereas, Generation Y is defined as anyone born between 1980 and 2000; and

11 Whereas, Generations X and Y make up 50 percent of the workforce while Baby
12 Boomers continue working and workers are staying longer or are re-entering the
13 workforce after retirement age; and

14 Whereas, the success of a qualified, dedicated team of health care professionals
15 depends upon the collaboration, understanding and mutual respect of all team
16 members; therefore be it

17 **RESOLVED**, that NYSUT educate its members and create an awareness of
18 generational differences with an understanding of how to meet the challenges of
19 tomorrow's workplace; and be it further

20 **RESOLVED**, that NYSUT health care provide locals with information on how to
21 institute succession planning and utilize generational motivators.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #35

Support for Recognition of Nationally Certified School Speech-Language Pathologists

Submitted by: United Federation of Teachers

- 1 Whereas, national certification of a professional represents the attainment of
2 credentials that exceed standard credentialing levels; and
3 Whereas, national certification helps to spread best practices to the classrooms and
4 schools; and
5 Whereas, NYSUT encourages members to embrace the challenge of higher
6 credentials whenever they are available in their field; and
7 Whereas, school speech-language pathologists can achieve national certification
8 through a rigorous set of requirements comparable to other nationally certified
9 professionals, including teachers; and
10 Whereas, NYSUT supports grant programs and subsidies to assist candidates in
11 achieving national certifications; and
12 Whereas, NYSUT recognizes the shortage of qualified speech language pathologists
13 across the state to serve our students with speech, language and hearing delays; and
14 Whereas, NYSUT supports the concept of state wide stipends to recognize teachers
15 who achieve national certification; therefore be it

- 16 **RESOLVED, that NYSUT encourages the recognition of nationally certified**
17 **speech-language pathologists through comparable stipends offered to nationally**
18 **certified teachers; and be it further**
19 **RESOLVED, that NYSUT encourages local school districts through collective**
20 **bargaining to recognize nationally certified speech-language pathologists.**

- ADOPTED
 ADOPTED AS AMENDED
 DEFEATED
 REFERRED TO THE BOARD OF DIRECTORS
 TABLED

Legislative/Political Action I

Resolution #36

New Technology Training for Teacher Aides and Teaching Assistants

Submitted by: Albany Public School Teachers Association, Capital Region BOCES, Elmira Instructional Support Educational Association, Guilderland Teachers Association, Johnson City Employees Association, Saratoga Adirondack BOCES Employees Association, Sauquoit Valley Non-Teaching Association, Syracuse Teachers Association, Union-Endicott Maintenance Workers Association

- 1 Whereas, training for new technology being used in the classroom such as
2 interactive white boards is available to all teachers; and
3 Whereas, teacher aides and teaching assistants working in the classroom are not
4 provided the same opportunities for training with the new technology being used in
5 the classroom; therefore be it
6 **RESOLVED, that NYSUT lobby the state Legislature to provide funding for**
7 **districts to provide training opportunities in the use of the new technology such**
8 **as interactive white boards for teacher aides and teaching assistants.**

- ADOPTED
 ADOPTED AS AMENDED
 DEFEATED
 REFERRED TO THE BOARD OF DIRECTORS
 TABLED

Resolution #37

Teacher Protection Regarding Online Sites

Submitted by: Bellmore-Merrick United Secondary Teachers, North Merrick Faculty Association, Plainedge Federation of Teachers, Retiree Council 17

- 1 Whereas, computer and digital technology is advancing rapidly; and
2 Whereas, cell phones, cameras and social networking sites such as Facebook are in

3 extremely widespread use by many students; and
4 Whereas, there have been numerous instances of Facebook groups and postings
5 targeting teachers, SRPs and other public school staff; and
6 Whereas, teachers and SRPs are in a vulnerable position due to the potential for
7 libelous and/or embarrassing information and photos being posted online; therefore
8 be it

9 **RESOLVED, that NYSUT investigate the possibility of encouraging the New**
10 **York State Legislature to pass legislation offering specific protections to teachers**
11 **and school employees from false and malicious postings and photographs placed**
12 **by students on social networking and other Internet sites.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #38

Repeal of the MTA Tax

Submitted by: Bellmore-Merrick United Secondary Teachers, Farmingdale Federation of Teachers, Massapequa Federation of Teachers

1 Whereas, in May 2009, the New York State Legislature passed the Metropolitan
2 Commuter Transportation Mobility Tax (MCTMT); and
3 Whereas, this tax is now imposed on certain employers who have businesses in
4 Manhattan, the Bronx, Brooklyn, Queens, Staten Island, Rockland, Nassau, Suffolk,
5 Orange, Putnam, Dutchess and Westchester counties; and
6 Whereas, this payroll tax applies to public school districts in the above named
7 counties of New York; and
8 Whereas, this payroll tax amounts to .34 percent of an employer's payroll expense
9 for each calendar quarter; and
10 Whereas, the estimated cost to Long Island school districts alone exceeds \$24
11 million; and
12 Whereas, although school districts are to have the paid tax amount returned in the
13 form of a rebate this year, the threat of mid-year state-aid cuts causes concern that
14 those rebates will not materialize; and
15 Whereas, this new payroll tax promises to continue to negatively affect school
16 budgets, not only this year but in years to come, with the possible consequences of
17 cuts in programs, staff, and materials; therefore be it

18 **RESOLVED, that NYSUT put its full lobbying effort and influence behind the**
19 **exemption of public schools from the Metropolitan Commuter Transportation**
20 **Mobility Tax.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #39

Contingency Budget Reform

Submitted by: Harrison Association of Teachers

1 Whereas, the current procedures for the implementation of a contingency budget
2 include fixed costs that are not alterable; and
3 Whereas, the current formula for calculating such budget dollars would result in
4 districts recognizing, at best, zero-to-zero budget increases; and
5 Whereas, the current economic climate will inevitably lead to more and more
6 districts adopting contingency budgets; and
7 Whereas, the current contingency language includes the removal of debt service
8 costs and tax certiorari relief; therefore be it

9 **RESOLVED, that NYSUT seek legislation to eliminate from the contingency**
10 **budget cap expenses for fuel and energy, as well as exclusions for pension**
11 **contributions to the state public retirement systems.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Legislative/Political Action II

Resolution #40

Opposition to Taxing Retiree Pensions

Submitted by: Associated Teachers of Huntington, Avon Teachers Association, Bloomfield Professional Education Association, Canandaigua Teachers Association, Carle Place Teachers Association, Deer Park Teachers Association, East Meadow Teachers Association, East Williston Teachers Association, Farmingdale Federation of Teachers, Freeport Teachers Association, Great Neck Teachers Association, Half Hollow Hills Teachers Association, Herricks Teachers Association, Hicksville Congress of Teachers, Lawrence Teachers Association, Livonia Teachers Association, Marcus Whitman Teachers Association, Marion Teachers Association, Mineola Teachers Association, Monroe #1 BOCES; BOCES United Professionals, Monroe #1 BOCES; BOCES United Support Staff, New Hyde Park-Garden City Park Teachers Association, Newark Central School Paraprofessional Association, North Babylon Teachers Organization, North Shore Schools Federated Employees, Phelps-Clifton Springs Faculty Association, Pittsford District Teachers Association, Plainedge Federation of Teachers, Plainview-Old Bethpage Congress of Teachers, Port Washington Teachers Association, Professional Staff Congress, Red Jacket Faculty Association, Retiree Council 1, Retiree Council 2, Retiree Council 4, Retiree Council 5, Retiree Council 6, Retiree Council 7, Retiree Council 8, Retiree Council 9, Retiree Council 10, Retiree Council 11, Retiree Council 12, Retiree Council 13, Retiree Council 14, Retiree Council 15/16 Westchester/Putnam, Retiree Council 17, Retiree Council 18, Retiree Council 19, Retiree Council 20, Retiree Council 21, Retiree Council 22, Retiree Council 23, Retiree Council 37/38, Rochester Teachers Association, Rockville Centre Teachers Association, Roslyn Teachers Association, Rush Henrietta Employees Association, Sewanhaka Federation of Teachers, South Huntington Teachers Association, United Teachers of Island Trees, Victor Teachers Association, Wantagh United Teachers, Warsaw Educators Association, Wayne Finger Lakes Association of School Support Personnel, Wayne Teachers Association, Webster Teachers Association, West Babylon Teachers Association, West Hempstead Educational Association, Westbury Teachers Association

1 Whereas, legal action brought nearly a half century ago by Syracuse teacher Eliot
2 Birnbaum, who covered legal costs at his own expense, resulted in a court decision
3 that TRS and other public employee benefits provided by the state could not, under
4 the provisions of the New York State Constitution, be diminished; and

5 Whereas, among the solutions to New York State's financial problems is the
6 recommendation that state pensions, now free of state income tax, be taxed as
7 ordinary income for the state's retired workers; and

8 Whereas, retirees have suffered disproportionately in the current recession because
9 they must survive on nearly fixed incomes, the costs of those prescription drugs most
10 commonly used by older Americans have increased to a rate almost double that of
11 other prescription drugs and retirees do not have access to other cost-saving measures
12 such as 125 plans - a tax benefit enjoyed by their inservice colleagues, thereby
13 creating a heavier impact on their limited financial resources; and

14 Whereas, retirees' pensions are, in fact, deferred compensation from their years of
15 service to the children and people of New York State; therefore be it

16 **RESOLVED, that NYSUT oppose and challenge—through the legal structure of**
17 **New York State—the levy of any tax on state retiree pensions, citing Article V of**
18 **the New York State Constitution, the same article cited by Birnbaum in the**
19 **original court case.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #41

125 Plan for Retirees

Submitted by: Associated Teachers of Huntington, Avon Teachers Association, Bloomfield Professional Education Association, Canandaigua Teachers Association, Carle Place Teachers Association, Deer Park Teachers Association, East Meadow Teachers Association, East Williston Teachers Association, Farmingdale Federation of Teachers, Freeport Teachers Association, Great Neck Teachers Association, Half Hollow Hills Teachers Association, Herricks Teachers Association, Hicksville Congress of Teachers, Lawrence Teachers Association, Livonia Teachers Association, Marcus Whitman Teachers Association, Marion Teachers Association, Mineola Teachers Association, Monroe #1 BOCES; BOCES United Professionals, Monroe #1 BOCES; BOCES United Support Staff, New Hyde Park-Garden City Park Teachers Association, Newark Central School Paraprofessional Association, North Babylon Teachers Organization, North Shore Schools Federated Employees, Phelps-Clifton Springs Faculty Association, Pittsford District Teachers Association, Plainedge Federation of Teachers, Plainview-Old Bethpage Congress of Teachers, Port Washington Teachers Association, Red Jacket Faculty Association, Retiree Council 1, Retiree Council 2, Retiree Council 4, Retiree Council 5, Retiree Council 6, Retiree Council 7, Retiree Council 8, Retiree Council 9, Retiree Council 10, Retiree Council 11, Retiree Council 12, Retiree Council 13, Retiree Council 14, Retiree Council 15/16 Westchester/Putnam, Retiree Council 17, Retiree Council 18, Retiree Council 19, Retiree Council 20, Retiree Council 21, Retiree Council 22, Retiree Council 23, Retiree Council 37/38, Rochester Teachers Association, Rockville Centre Teachers Association, Roslyn Teachers Association, Rush Henrietta Employees Association, Sewanhaka Federation of Teachers, South Huntington Teachers Association, Syosset Teachers Association, United Teachers of Island Trees, Victor Teachers Association, Wantagh United Teachers, Warsaw Educators Association, Wayne Finger Lakes Association of School Support Personnel, Wayne Teachers Association, Webster Teachers Association, West Babylon Teachers Association, West Hempstead Educational Association, Westbury Teachers Association

1 Whereas, a resolution urging NYSUT and AFT to consider pursuing an amendment
2 to IRS Regulation 125, aimed at allowing retirees to benefit from the use of pre-tax
3 dollars for out-of pocket medical expenses, was passed and renewed for nearly a
4 decade; and

5 Whereas, many retirees now live on considerably less than their working salaries
6 and caught in a recession that has severely increased the cost of all basic needs;
7 therefore be it

8 **RESOLVED, that NYSUT urge its national affiliates to continue to pursue**
9 **amendment to the IRS regulation that would allow retirees of all the state's**
10 **retirement systems to utilize the provision of 125—covering the same list of**
11 **allowed expenses available to inservice state employees.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #42

Opposition to Taxing Health Benefits

Submitted by: Associated Teachers of Huntington, Avon Teachers Association, Bloomfield Professional Education Association, Canandaigua Teachers Association, Carle Place Teachers Association, Deer Park Teachers Association, East Meadow Teachers Association, East Williston Teachers Association, Farmingdale Federation of Teachers, Freeport Teachers Association, Great Neck Teachers Association, Half Hollow Hills Teachers Association, Herricks Teachers Association, Hicksville Congress of Teachers, Lawrence Teachers Association, Livonia Teachers Association, Marcus Whitman Teachers Association, Marion Teachers Association, Mineola Teachers Association, Monroe #1 BOCES; BOCES United Professionals, Monroe #1 BOCES; BOCES United Support Staff, New Hyde Park-Garden City Park Teachers Association, Newark Central School Paraprofessional Association, North Babylon Teachers Organization, North Shore Schools Federated Employees, Phelps-Clifton Springs

Faculty Association, Pittsford District Teachers Association, Plainedge Federation of Teachers, Plainview-Old Bethpage Congress of Teachers, Port Washington Teachers Association, Red Jacket Faculty Association, Retiree Council 1, Retiree Council 2, Retiree Council 4, Retiree Council 5, Retiree Council 6, Retiree Council 7, Retiree Council 8, Retiree Council 9, Retiree Council 10, Retiree Council 11, Retiree Council 12, Retiree Council 13, Retiree Council 14, Retiree Council 15/16 Westchester/Putnam, Retiree Council 17, Retiree Council 18, Retiree Council 19, Retiree Council 20, Retiree Council 21, Retiree Council 22, Retiree Council 23, Retiree Council 37/38, Rochester Teachers Association, Roslyn Teachers Association, Rush Henrietta Employees Association, Sewanhaka Federation of Teachers, South Huntington Teachers Association, Syosset Teachers Association, United Teachers of Island Trees, Victor Teachers Association, Wantagh United Teachers, Warsaw Educators Association, Wayne Finger Lakes Association of School Support Personnel, Wayne Teachers Association, Webster Teachers Association, West Babylon Teachers Association, West Hempstead Educational Association, Westbury Teachers Association

1 Whereas, the federal government has suggested that part of a solution to the
2 negative cost impact of universal health care be taxes on health care benefits
3 provided by employers to both inservice and retired workers; and

4 Whereas, both working people and retirees, essentially America's middle class,
5 understand that the health care benefits they enjoy and were an integral part of their
6 negotiated settlements, exchanged for immediate monetary compensation in order to
7 protect themselves and their families; and

8 Whereas, retirees suffered disproportionately in the current recession due to their
9 nearly fixed incomes, the escalating cost of the prescription drugs most commonly
10 used by older Americans and the fact that they do not have access to such cost-saving
11 measures as 125 plans; therefore be it

12 **RESOLVED, that NYSUT work with its national affiliates to stand in firm**
13 **opposition to federal and other taxes on health benefits for all Americans —**
14 **working and retired.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #43

Continue Using Our Lever Voting Machines

Submitted by: Bellmore Faculty Organization, Carle Place Teachers Association, East Meadow Teachers Association, East Williston Teachers Association, Farmingdale Federation of Teachers, Freeport Teachers Association, Great Neck Teachers Association, Hicksville Congress of Teachers, Jericho Teachers Association, Lawrence Teachers Association, Mineola Teachers Association, New Hyde Park-Garden City Park Teachers Association, North Shore Schools Federated Employees, Retiree Council 17, Retiree Council 18, Retiree Council 19, Roslyn Teachers Association, Sewanhaka Federation of Teachers, West Hempstead Educational Association, Westbury Teachers Association

1 Whereas, our state cannot afford to replace our lever voting machines because of our
2 current economic crisis, and because other essential needs are more important in order
3 to maintain the well-being of New Yorkers at this time and in the foreseeable future; and

4 Whereas, our lever machines can be maintained at low cost and used for many
5 more years; and

6 Whereas, our lever voting machines, in comparison to electronic voting and vote
7 counting technology, have had fewer problems and have not caused as much
8 suspicion of fraud; and

9 Whereas, our new accessible Ballot Marking Devices that New York bought last
10 year will serve voters with disabilities and non-English languages, and therefore New
11 York now meets all federal requirements for voting equipment; therefore be it

12 **RESOLVED, that NYSUT urge the New York State Legislature and Governor**
13 **Paterson to rescind the mandate that our counties replace their lever voting**
14 **machines, and urge the State Board of Elections, the State Comptroller and the**
15 **State Attorney General to take all possible actions so that our counties can**
16 **continue to use the lever voting machines.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #44

Grandfathering Eligible Educators Into the Federal Loan Forgiveness Program

Submitted by: Ulster County BOCES Teachers Organization

1 Whereas, many teachers who teach for BOCES across New York State teach
2 students who would qualify them for federal loan forgiveness and BOCES does not
3 receive Title One classification; and

4 Whereas, many New York State teachers, as well as BOCES teachers, qualify for
5 eligibility for federal loan forgiveness but have been unable to apply because the
6 school for which they are employed have not applied for the program; and

7 Whereas, this is through no fault of the teachers employed by these schools and
8 exemption from the eligibility list adds undo hardship to the teachers; and

9 Whereas, any schools on the list of eligible schools for the federal loan forgiveness
10 program require that teachers have five consecutive years of service after the date the
11 school is added to the list to receive loan forgiveness; and

12 Whereas, some of those teachers have five or more consecutive years of service in
13 that school on the date their school was placed on this list and now must work an
14 additional five years to receive loan forgiveness; therefore be it

15 **RESOLVED, that NYSUT support legislation that would allow teachers to be**
16 **eligible for the federal loan forgiveness program, as soon as a school is added to**
17 **the list of schools that are eligible and are currently employed in that school and**
18 **have taught for five consecutive years of service in that school be made**
19 **immediately eligible for loan forgiveness; and be it further**

20 **RESOLVED, that BOCES teachers throughout New York State be considered for**
21 **the eligibility list if one or more of the component districts are already on the list**
22 **of eligibility for federal loan forgiveness.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Organization

Resolution #45

Recognition of Retiree VOTE-COPE Contributions

Submitted by: Associated Teachers of Huntington, Avon Teachers Association, Bloomfield Professional Education Association, Canandaigua Teachers Association, Carle Place Teachers Association, Deer Park Teachers Association, East Meadow Teachers Association, East Williston Teachers Association, Freeport Teachers Association, Great Neck Teachers Association, Half Hollow Hills Teachers Association, Herricks Teachers Association, Hicksville Congress of Teachers, Lawrence Teachers Association, Livonia Teachers Association, Marcus Whitman Teachers Association, Marion Teachers Association, Mineola Teachers Association, Monroe #1 BOCES; BOCES United Support Staff, New Hyde Park-Garden City Park Teachers Association, Newark Central School Paraprofessional Association, North Babylon Teachers Organization, North Shore Schools Federated Employees, Phelps-Clifton Springs Faculty Association, Pittsford District Teachers Association, Plainedge Federation of Teachers, Port Washington Teachers Association, Red Jacket Faculty Association, Retiree Council 1, Retiree Council 2, Retiree Council 4, Retiree Council 5, Retiree Council 6, Retiree Council 8, Retiree Council 9, Retiree Council 10, Retiree Council 11, Retiree Council 12, Retiree Council 13, Retiree Council 14, Retiree Council 15/16 Westchester/Putnam, Retiree Council 17, Retiree Council 18, Retiree Council 19, Retiree Council 20, Retiree Council 21, Retiree Council 22, Retiree Council 23, Retiree Council 37/38, Rochester Teachers Association, Roslyn Teachers Association, Rush Henrietta Employees Association, Sewanhaka Federation of Teachers, South Huntington Teachers Association, United Teachers of Island Trees, Victor Teachers Association, Wantagh United Teachers, Warsaw Educators Association, Wayne Finger Lakes Association of School Support Personnel, Wayne

Teachers Association, Webster Teachers Association, West Babylon Teachers Association, West Hempstead Educational Association, Westbury Teachers Association

1 Whereas, retirees represent a significant portion of NYSUT membership; and
2 Whereas, retirees recognize the importance of their continued contributions to
3 support VOTE-COPE activities; and
4 Whereas, retiree VOTE-COPE contributions in 2008 totaled \$597,481.78; therefore
5 be it

6 **RESOLVED, that when NYSUT reports VOTE-COPE contributions in publications**
7 **and at the annual NYSUT Representative Assembly, those contributions made by**
8 **retirees be designated in such reporting.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #46

Keeping Retirees Connected to NYSUT

Submitted by: Associated Teachers of Huntington, Avon Teachers Association, Bloomfield Professional Education Association, Canandaigua Teachers Association, Carle Place Teachers Association, Deer Park Teachers Association, East Meadow Teachers Association, East Williston Teachers Association, Freeport Teachers Association, Great Neck Teachers Association, Herricks Teachers Association, Lawrence Teachers Association, Livonia Teachers Association, Marcus Whitman Teachers Association, Marion Teachers Association, Mineola Teachers Association, Monroe #1 BOCES; BOCES United Professionals, Monroe #1 BOCES; BOCES United Support Staff, New Hyde Park-Garden City Park Teachers Association, Newark Central School Paraprofessional Association, North Babylon Teachers Organization, North Shore Schools Federated Employees, Phelps-Clifton Springs Faculty Association, Pittsford District Teachers Association, Plainedge Federation of Teachers, Port Washington Teachers Association, Red Jacket Faculty Association, Retiree Council 1, Retiree Council 2, Retiree Council 4, Retiree Council 5, Retiree Council 6, Retiree 7, Retiree Council 8, Retiree Council 9, Retiree Council 10, Retiree Council 11, Retiree Council 12, Retiree Council 13, Retiree Council 14, Retiree Council 15/16 Westchester/Putnam, Retiree Council 17, Retiree Council 18, Retiree Council 19, Retiree Council 20, Retiree Council 23, Retiree Council 37/38, Rochester Teachers Association, Rush Henrietta Employees Association, Sewanhaka Federation of Teachers, South Huntington Teachers Association, United Teachers of Island Trees, Victor Teachers Association, Wantagh United Teachers, Warsaw Educators Association, Wayne Finger Lakes Association of School Support Personnel, Wayne Teachers Association, Webster Teachers Association, West Babylon Teachers Association, West Hempstead Educational Association, Westbury Teachers Association

1 Whereas, to continue the strength and continuity of our union, NYSUT has urged it
2 locals to maintain retirees on their membership lists, and has provided instructions for
3 doing so; and

4 Whereas, retired NYSUT members are a vital and integral part of NYSUT's political
5 strength and activity, which benefits the children and communities of New York State
6 as well as the inservice and retired members of NYSUT; and

7 Whereas, NYSUT recognized the importance of maintaining the organizational
8 memory and the value and internal strength gained from the input of retiree
9 representatives by establishing four retiree positions on the NYSUT Board of
10 Directors, providing for three delegates to the NYSUT Representative Assembly from
11 each Retiree Council (thereby giving retirees the vehicle to submit resolutions for
12 consideration by the policy-making body of our union), establishing an office for
13 retiree services and part-time position for NYSUT retiree consultants; and

14 Whereas, NYSUT Retiree Councils have worked effectively to reach out to new
15 retirees with special programs and offerings each year, but have not yet been able to
16 gain participating membership equal to the number of retired members in any given
17 region; therefore be it

18 **RESOLVED**, that NYSUT will work with its Retiree Councils, brainstorming out-
19 reach ideas aimed at NYSUT members anticipating retirement, urging all of these
20 members to continue their connection to NYSUT through participation in their
21 Retiree Councils, a move that would strengthen both the Council and NYSUT; and
22 **be it further**

23 **RESOLVED**, that NYSUT will utilize the New York Teacher throughout the year,
24 but especially in the last editions of the school year, to reach out to members
25 planning retirement by informing them of the benefits of staying connected to
26 NYSUT through their local NYSUT Retiree Councils and the retiree chapter if
27 there is one.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #47

Honoring Alan B. Lubin

Submitted by: Retiree Council 10

1 Whereas, Alan B. Lubin has devoted much of his life to the building of our union
2 beginning with the 26 years spent with UFT and continuing his work with NYSUT,
3 AFT, NEA and AFL-CIO; and

4 Whereas, Alan B. Lubin has been the longest continuing serving member on the
5 NYSUT Board of Directors having been on the original NYSUT Board at its inception;
6 and

7 Whereas, Alan B. Lubin has longest serving Executive Vice President leading the
8 legislative efforts of NYSUT in his role for over sixteen years; and

9 Whereas, that legislative work has done much to assure the quality of teaching
10 careers in New York State spearheading the drive for a permanent COLA for retired
11 public employees; and

12 Whereas, Alan B. Lubin has successfully led the efforts that include the "Schools
13 Against Violence in Education" law and the law mandating a defibrillator be on hand
14 in every New York State school; and

15 Whereas, Alan B. Lubin led the successful fight for a permanent law prohibiting
16 school district employers from unilaterally diminishing retirees' health insurance; and

17 Whereas, Alan B. Lubin has been a tireless advocate for higher education; and

18 Whereas, the continuance of his life's work is in no small way dependent upon the
19 availability of highly qualified teaching candidates; and

20 Whereas, Alan B. Lubin is a graduate of Brooklyn College; therefore be it

21 **RESOLVED**, that we call upon the NYSUT Board of Directors to consider the
22 establishment of a scholarship in his honor which will bear his name to be
23 awarded to an individual who seeks to advance the causes of civil rights, union
24 solidarity and social justice so eloquently demonstrated by Alan B. Lubin over the
25 course of his distinguished and selfless career.

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Resolution #48

NYSUT Retiree Policy Update

Submitted by: Retiree Council 12

1 Whereas, the in-service officers of many NYSUT locals have numerous in-service
2 responsibilities and may be unavailable to retirees at different times during the school
3 year and during school vacations; and

4 Whereas, changes and threats to retiree health insurance coverage are occurring at
5 an unprecedented rate of acceleration; and

6 Whereas, public support for retiree health insurance benefits and for retiree
7 defined benefit pensions has greatly eroded, in part due to a struggling economy;
8 and

9 Whereas, boards of education have increased their interactions with one another in
10 order to expand their strategies to diminish retiree benefits; and

11 Whereas, the political, economic and social climates have changed greatly since the
12 NYSUT policies regarding retirees were formulated; and

13 Whereas, NYSUT had the foresight to grant lifetime memberships to its retirees
14 who are informed, dedicated and desiring to play a more active union role; therefore
15 be it

16 **RESOLVED, that NYSUT continue to examine and address retiree issues and
17 concerns, especially the relationships among retirees with their local, their retiree
18 council, and NYSUT including its labor relations specialists; and be it further**

19 **RESOLVED, that a committee consisting of four retiree directors from the
20 NYSUT Board of Directors and four representatives appointed by NYSUT be
21 formed to develop and suggest retiree policies; and be it further**

22 **RESOLVED, that recommendations of the committee be reported annually to
23 the NYSUT Board of Directors**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

Pension/Retirement

Resolution #49

Enhancing the COLA

Submitted by: Associated Teachers of Huntington, Avon Teachers Association, Bloomfield Professional Education Association, Canandaigua Teachers Association, Carle Place Teachers Association, Deer Park Teachers Association, East Meadow Teachers Association, East Williston Teachers Association, Farmingdale Federation of Teachers, Freeport Teachers Association, Great Neck Teachers Association, Half Hollow Hills Teachers Association, Herricks Teachers Association, Hicksville Congress of Teachers, Lawrence Teachers Association, Livonia Teachers Association, Marcus Whitman Teachers Association, Marion Teachers Association, Mineola Teachers Association, Monroe #1 BOCES; BOCES United Professionals, Monroe #1 BOCES; BOCES United Support Staff, New Hyde Park-Garden City Park Teachers Association, Newark Central School Paraprofessional Association, North Babylon Teachers Organization, North Shore Schools Federated Employees, Phelps-Clifton Springs Faculty Association, Pittsford District Teachers Association, Plainedge Federation of Teachers, Plainview-Old Bethpage Congress of Teachers, Port Washington Teachers Association, Red Jacket Faculty Association, Retiree Council 1, Retiree Council 2, Retiree Council 4, Retiree Council 5, Retiree Council 6, Retiree Council 8, Retiree Council 9, Retiree Council 10, Retiree Council 11, Retiree Council 12, Retiree Council 13, Retiree Council 14, Retiree Council 15/16 Westchester/Putnam, Retiree Council 17, Retiree Council 18, Retiree Council 19, Retiree Council 20, Retiree Council 21, Retiree Council 22, Retiree Council 23, Retiree Council 37/38, Rochester Teachers Association, Rockville Centre Teachers Association, Roslyn Teachers Association, Rush Henrietta Employees Association, Sewanhaka Federation of Teachers, South Huntington Teachers Association, United Teachers of Island Trees, Victor Teachers Association, Wantagh United Teachers, Warsaw Educators Association, Wayne Finger Lakes Association of School Support Personnel, Wayne Teachers Association, Webster Teachers Association, West Babylon Teachers Association, West Hempstead Educational Association, Westbury Teachers Association

1 Whereas, many retirees are finding that inflation is eroding their pensions even
2 with the current COLA provisions; and

3 Whereas, retirees urge NYSUT to support provisions to enhance the COLA to 100
4 percent of the CPI; and

5 Whereas, retirees urge NYSUT to support a provision to base the COLA on \$25,000
6 for all retirees; therefore be it

7 **RESOLVED, that NYSUT continue to support an enhancement of the COLA to
8 100 percent on \$25,000 for all retirees.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

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