



News & Updates March 12, 2018



Snow Days Cancel Out Beach Days

After last week's inclement weather and subsequent problems (power outages, downed trees and electrical wires) the school district has exhausted the two "built in" snow days as well as the two "weather make up" days. As a result, schools will be open on Friday, May 25 and Tuesday, May 29.

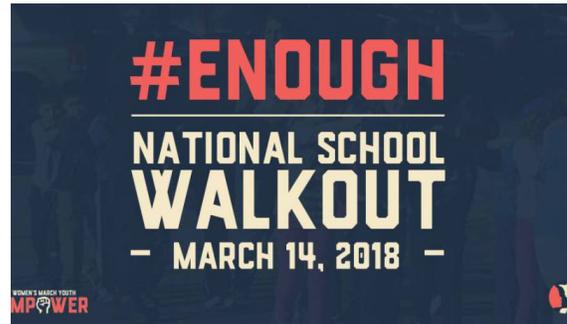
March 14 "Walkout" Protesting Gun Violence - Guidelines for Educators

Questions have arisen about what educators can and cannot do to support the emerging student movement. Relying on a legal advisory prepared by the National Education Association and sent to all NYSUT local presidents, I'd like to try to answer as many of those questions as possible.

It is important to keep in mind that as public employees, there are restrictions on how we may involve ourselves in activities and actions scheduled for the workday.

Can teachers walkout?

- Generally **NO**. Unauthorized educator walkouts or other work stoppages aimed at protesting a lack of governmental response to gun violence in our schools are **not protected activities** under either the First Amendment or state and local collective bargaining laws and agreements. Such actions may violate state and local laws and policies and could subject educators to discipline.
- The exception would be if teachers are assigned by the school administration to provide supervision in order to maintain good order during the walkout, thus protecting the safety of the students participating. **Teachers may not, on their own accord, cancel scheduled classes to participate in the walkout.**
- **Teachers who have a "prep" period or a "free period" during the time the walkout is happening may choose to support the student led walkout by their presence.**



Can Teachers Discuss School Safety and Gun Violence Issues in Class?

- Educators may wish to discuss school safety and gun violence issues with their students. Unfortunately, there is no one-size-fits-all guidance here. Such discussions should be consistent with district guidelines on discussing these issues. **Educators are more likely to be protected when such discussions are both age appropriate and instructionally relevant**—and also when the educator herself enjoys tenure protections.

Can Educators Participate in Political and Community Action Outside of School Hours?

- **Absolutely. Educators can engage in off-the-clock political and community action to advocate for policies that will make our schools safer.** Educators can, among other things, march, sign petitions, write letters, post statements of support on social media, and call and lobby their state, federal, and local legislators. **When educators act as citizens speaking about matters of public concern such as school safety, they are protected by the First Amendment *so long as their activities do not disrupt the workplace.*** Educators should therefore avoid raising specific workplace complaints about administrators, coworkers, or—especially—students. **They should also avoid any suggestion that they are speaking in their official capacity or on behalf of the school or district.**

Why did the Superintendent refuse to endorse the walkout and write that it was “not a school sanctioned event”?

- The Superintendent was following the [guidance](#) provided by the New York State School Boards Association to school districts throughout the state on the subject of student walkouts. That guidance states that School districts who are considering endorsing the walkout or not imposing even minimal sanctions on student participants “*would be well advised to consider that other students in the future may be able to successfully argue that they too are entitled to be excused from the enforcement of school district policies, including attendance policies, if they choose to participate in some other act of civil disobedience. In short, school districts must apply their policies in a neutral manner and should not risk being charged with engaging in acts of viewpoint discrimination related to their imposing discipline on students in the future who may wish to support some other cause that might not be regarded as being ‘appropriate’ by the school district.*”
- To be fair, Dr. Osborne prefaced his comments about the walkout being an “unsanctioned activity” by writing that “We applaud our students’ desire to be part of the political process and to make their voices heard.” and later adds that “we are also impressed with the thoughtfulness and passion of the students who have discussed the walkout with us.” I believe the Superintendent is carefully making an important distinction here -- properly supporting student activism and free speech while insuring that the school district is maintaining strict neutrality as regards to enforcing penalties for students walking out of classes to support a political action or opinion.
- Finally, it should be noted -- and commended-- that our Board of Education passed a resolution last week urging our state and federal lawmakers to enact reasonable gun safety legislation, to provide better funding for security upgrades in schools and for adequate mental health, social, and guidance services for purpose of prevention, support, and response. Additionally, the Board affirmed “that the civic engagement of students in Parkland, Florida, and beyond, who are speaking out for school safety, support for mental health services, and legislation to address gun violence needs to be heard. Board members deserve our thanks for this strong stand for protecting and supporting our students. (Resolution 18-289, Listed as 11-21 on the [Board Agenda](#).)

NYSUT Committee of 100 Lobby Lawmakers in Albany

(from NYSUT.org)

NYSUT is advocating repeal and replacement of the ill-conceived, punitive APPR law this year. The solutions: local control, collective bargaining, no state mandates and no required connection to standardized tests.

“We have to ditch the concept that one size fits all,” said Seth Cohen, Troy TA, to Assemblywoman Carrie Woerner, D–Saratoga Springs. “What would work for us in Troy, an urban setting, is not going to work in Schuylerville (in rural Saratoga County).”

APPR was only one of many issues raised by nearly 700 volunteer activists from NYSUT local unions who stormed the Capitol today in the annual migration known as the Committee of 100.



They shared real-world stories with their hometown lawmakers to illustrate why a \$1.5 billion general school aid increase — roughly double the proposed \$769 million — is needed just to maintain current programs and services for students.

The lack of state aid and the tax cap that limits local revenue add up, even in relatively wealthy suburban districts, to budgets that cut programs and services to students, activists said.

They asked for relief either by eliminating the 60 percent supermajority required to approve a budget that exceeds a tax cap, or for more exemptions for necessary expenses beyond local control.

One of those expenses that everyone faces this year is the increased need for security and social work to prevent or, horrifically, deal with school violence. Each district’s needs are different, said Robert Verbeck of the Shoreham Wading River TA. Under the cap, districts might have to choose between hiring two security guards and hiring — or cutting — two reading teachers. Everyone agrees that security is an expanding issue but: “Are we trading security for education?” he asked.

The grassroots advocates also urged lawmakers to boost funding for SUNY and CUNY campuses to ensure they can hire faculty and expand programs to meet rapidly increasing enrollment.

NYSUT is also pressing the Legislature to restore \$78.6 million in subsidies for SUNY hospitals, which provide much-needed patient care to many of the poorest New Yorkers while training the next generation of health care workers.

The NYSUT activists urged lawmakers to approve a greater investment in community schools, in Special Act, 4201, 4410 and 853 special schools and in Teacher Centers, which, once again, are cut from the governor’s budget plan. Traditionally, the Legislature finds a way to restore that cut.

[Tweets and Photos from Monday’s Preparatory Meeting for Committee of 100 Activists](#)

[Tweets and Photos from Tuesday’s Meetings with Lawmakers](#)

Reminder: 2018 FUSE Scholarships

Every year, the FUSE awards up to ten scholarships of \$1,000 each to the children of FUSE members who are graduating high school in June, 2018.

Scholarship recipients are selected on the basis of demonstrated academic excellence, community service and participation in extra or co-curricular activities. Applications are reviewed by a committee of FUSE members in April, and recipients are notified in May.

Applications are available now in the FUSE office -- please call or email our office administrator Rose Colasuonno to receive one. Completed applications and supporting documentation (transcripts, letter of recommendation, essay) must be received in the FUSE office no later than April 16, 2018.



Reminder: Looking for a Worthy Cause to Support?



The Westchester Pancreatic Research Walk is on April 15, 2018. This annual event raised almost \$1,000,000 last year and had 3000 walkers! Be part of this amazing effort and celebrate the progress we've made in fighting pancreatic cancer and the hope we have for the future! If you are unable to walk with us, please consider making a donation to support our team.

FUSE is hoping to sponsor a team of walkers and have a visible presence at this amazing event. If you would like to join the team -- *reFUSE To Give Up*-- contact Jeanine Shields at jshields@redlearn.org or go to the [team website](#) for more information or to make a donation. You can learn more about the walk from its [Facebook](#) page.

[THE LUSTGARTEN FOUNDATION](#) is America's largest private foundation dedicated solely to funding pancreatic cancer research. Our mission is to advance the scientific and medical research related to the diagnosis, treatment, cure and prevention of pancreatic cancer. To fulfill this mission, the Foundation has supported more than 200 research projects at nearly 60 medical and research centers worldwide. Since its inception, the Foundation has directed \$125 million to research and assembled the best scientific minds with the hope that one day, a cure can be found.