



NEW YORK STATE SENATOR

Ruben Diaz

## The Truth Can Hurt

RUBEN DIAZ July 14, 2014

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What You Should Know

By Senator Rev. Rubén Díaz

32nd Senatorial District

718-991-3161

### The Truth Can Hurt

You should know that on June 10, 2014, a California judge ruled that teacher tenure laws in California are unconstitutional. Plaintiffs in that lawsuit argued that the rights of students who attend poor and minority schools are violated because their schools are disproportionately staffed by ineffective and bad teachers, and those bad teachers are protected by tenure.

You should also know that the California lawsuit against teacher tenure has inspired a group of New Yorkers to file a similar lawsuit here New York State. The plaintiffs in the New York City Parents Class Action lawsuit, which was filed on June 30, 2014, argue to protect New

York students' rights which were violated by bad teachers who couldn't be fired. Parts of the allegations state:

"Teachers who received multiple "unsatisfactory" ratings, miss entire weeks of work, or even physically abused students can remain in the classroom over the objection of their schools"

and

"Low-income and minority students get less effective teachers. Disadvantaged students receive less effective teaching, on average, compared with other students. In other words, the students who need a sound basic education are the least likely to get a competent teacher to deliver it. This is not just wrong but is a violation of the equal protection of the laws."

You already know that in the media, all too often we read about cases and cases of New York State and City legislators who are sexual predators and who are accused of all sorts of misbehavior. We all know what happens to them: they get no job security. There is no such thing as job security for any elected official who lands in any of New York's tabloids as a sex offender.

This is not the case for teachers whose names and photos and misdeeds are splashed in our newspapers. If you don't believe me, take a look at Susan Edelman's article, Easy Pay for DOE's Foul Four, that appeared on page 4 of the July 13, 2014 edition of the New York Post. Ms. Edelman reported: "The Foul Four — who beat sexual misconduct charges — can't be fired by the city Department of Education because they are entitled to job protections under state tenure laws, which require "due process". ... The four banned teachers collect a total of \$363,271 a year, plus pension and health benefits."

Some people tell me that sometimes it looks like I have a political death wish, and I am pretty sure that what I write here will not be appreciated by all of my dear readers. I will say

that the best and most secure way for anyone to get and to keep job security is to do your work professionally, to be honest, don't be corrupt, and of course, to not act like a sex maniac. The only ones who should be able to assure job security are the people themselves.

Even knowing that I may become a political target, I can tell you that the worst thing that can happen to a person is to keep the truth locked inside and to be too afraid to say it out loud. I cannot keep this truth - which can hurt - inside of me any longer. Children who are poor and who live in impoverished communities are entitled to a quality education. If there are bad teachers in public schools where Black and Hispanic children are sent to be educated - and where too many of our public schools are failing abysmally - we need to protect our children's rights over the job security rights of those bad teachers.

Ladies and gentlemen, the truth can hurt - but the Department of Education should have the power to fire any rotten apples. They should send these bad teachers packing - fire them! And no sexual predators should have job security: not elected officials, not teachers, not police officers - no one.

This is Senator Rev. Rubén Díaz, and this is what you should know.