

Shanker Debates Doar

The following is a transcript of the debate between UFT President Albert Shanker and John Doar, Board of Education President, on a special WNBC-TV program, on Oct. 27, moderated by Gabe Pressman.

SHANKER: THIS DISPUTE HAS lasted a very long time. Too long. Too long for the teachers and too long for the parents, too long for the children. And therefore I'd like to use this opportunity to ask that we get schools opened, and that we get them open within the next twenty-four hours. And I would suggest that we get them open by going back to the position—turning back the clock to the situation that existed on the day—the last day of school. Now what had happened then was that the governing board of Ocean Hill-Brownsville, because of its sabotage of the agreements between the UFT and the board, was suspended. It wasn't suspended by the UFT, but by the Board of Education. The unit administrator was suspended, also not by the UFT, but by the board. And the principals were relieved of their duties. And 271 was closed because of violence in that school, and there have been recommendations since then by both the Superintendent and the Mayor that that be closed.

Now, I would suggest that we solve these problems of what is to happen to the governing board and the unit administrator and the principals and 271 later, that we reopen the schools, that we turn the clock back to that particular point of time when only one school in the City of New York was closed and all the others open, with over one million children attending school, with the teachers and the parents happy, and the children going to school. And then we can work out these problems as to what is to happen to a handful of people who are the center of the dispute because of their failure to honor the agreements between the Board of Education and the UFT.

I think that that is the only way we're going to get off dead center. We would temporarily withdraw our notions that these people be permanently and forever removed if the Board of Education would reopen the schools on this basis, and then we would work out the question of how and when and under what circumstances there might possibly be a reentry of these groups that are suspended.

PRESSMAN: Just to clarify it, Mr. Shanker, what you're suggesting is that the temporary suspension of Rhody McCoy, the unit administrator, of the seven principals of the district, and of the governing board of the district, be reinstated or continued, and that Junior High School 271 be temporarily closed, and that the disputed teachers, your teachers, the United Federation of Teachers teachers go back to the other seven schools in the district?

SHANKER: THAT'S RIGHT. THAT is precisely the situation that was obtained on the last day of school. We would of course expect that the suspensions of both the governing board and the principals and Mr. McCoy not be phony suspensions. That is, you know, where they're occupying their offices and really running the schools, but that they be what the—we think the board originally intended. But if we go back to that last day of school, we could continue on that basis, and schools could be reopened maybe to-



morrow, or certainly at latest Tuesday morning.

PRESSMAN: Mr. Doar.

JOHN DOAR: WELL, ON BEHALF of the Board of Education, I welcome Mr. Shanker's statement that he's anxious to get the schools open and that this dispute has lasted too long. I agree with that one hundred percent. But the difficulty with turning back the clock, as I see it personally and as a public official, is that that just generally can't be done. The situation has changed since then, and here's how it has changed. Since that time the Ocean Hill-Brownsville governing board, Mr. McCoy and the principals, have stated and made a commitment that they will comply with our directive to permit your teachers to return to teaching assignments. They've said that the principals will honor these teaching assignments. They've said that the governing board will cooperate to provide an educational atmosphere in the schools. They've suggested that they will approach this as mature men and women, conscious of their responsibilities to run a fair, proper school atmosphere.

Now, as a public official we are called upon in making our decision what is the right thing to do to exercise our independent judgment, not to do it in terms of an agreement with one side or the other. If Ocean Hill-Brownsville and the UFT could agree as to what should be done to cause the opening of the schools, that would be fine. But as an independent public body we have to think only of one thing, our commitment to get full compliance for your teachers. And in our judgment on that Friday we felt that it was—the best way to get compliance was to put the principals back in the schools the following Monday. We felt that was necessary, because the principals are key people in those schools. They can help us get compliance. They indicated at that time that they would carry out the directives of the Superintendent of Schools.

PRESSMAN: By compliance, sir, you mean that the teachers would return without harassment?

DOAR: TEACHERS WOULD teach—yes, and would teach in an educational atmosphere. Now, Mr. Shank-

er, what I think is that we've got to take advantage of that acceptance of local responsibility, and we can't go back to a situation prior to the time that this was—this offer was made, this commitment was made. I think it's in everyone's interest, and I really—if I may say so, in your teachers interest that we capitalize on this, that we—this is what we want in getting compliance, this acceptance of responsibility. And we all want to get not only the schools open, but we want to get—to make this work out in Ocean Hill-Brownsville. And for that reason I don't see—speaking personally, although I'm sure the board would consider this, and welcomes your suggestion, I don't see how it would be possible for us not to want those teachers and those principals returned to their schools.

Now, there's been a lot said about Mr. McCoy. Mr. McCoy was reassigned and placed under the direct supervision of Superintendent Donovan. He wasn't transferred down to headquarters, but he was left there because he as the head unit administrator out there really knew how that school system should run. And there are eight thousand kids involved. And he had started and structured an educational program. Now, you can't have teachers teaching in an educational atmosphere if you don't have an overall educational program. If he defied an order of Superintendent Donovan, Superintendent Donovan was prepared to take action against him. But if he cooperated with Superintendent Donovan and helped us get the teachers in an educational atmosphere, then that is what we wanted him to do.

We want compliance. We think that the program that we adopted that Friday of returning the principals to their schools—and we have the board under suspension, we've said that the suspension will continue, we've implied for an injunction against Mr. McCoy and the governing board so there won't be any interference. And we think that that is the sound, fair, sensible way to perform the obligation which we owe to you and the public to get compliance with the right of your teachers to teach.

PRESSMAN: Mr. Shanker.

SHANKER: WELL, I THINK

that's a fine statement, but I think it's very inconsistent, because on the one hand you say that the principals and McCoy and the governing board are coming back because they've agreed to comply, and on the other hand you say that you're going out to get an injunction because they refuse to comply. And I think that you're just—you're just not telling the truth when you say these things.

I was with Dr. Donovan and then President of the Board, Mrs. Shapiro, and representatives of the Mayor, on the day when you proposed to send those principals back. And I asked Dr. Donovan—I said, "Dr. Donovan, have you spoken to those principals, and have they agreed to comply with the pact that the board and the UFT have entered into?" And he said, "No, I have not spoken to them. I'll try to call them tonight to see whether they will enter into it." But you had decided to send those principals back even though they had not agreed. You're also ignoring the statement of Reverend Oliver made before both of us—just the other day in front of the Board of Regents. "Oh, yes," he said, "we're going to welcome these teachers back, and we're going to take them back into teaching assignments, just as we have always done." In other words, he was not recognizing any distinction between what would happen now and what happened just before. He was saying that "we've always done well by these people, we've always taken them back, and everything has been fine within the district, and there's never been any trouble."

Now, I just fail to understand why the Board of Education feels that it is so absolutely essential to keep Mr. McCoy and the governing board and eight principals, why—whom obviously you're seeking an injunction against them, you have suspended them, you have taken all this action against them, and yet they seem to be so important to the Board of Education that you're willing to keep over one million children out of school in order to perpetuate them in their particular offices.

Now, when you say that Mr. McCoy is absolutely essential to the running of that district because he's the leader of it, what you're really saying is that no matter what he does, no matter how teachers are mistreated, how they're intimidated, how they're villified, and how they're threatened, you can have that same answer tomorrow or the day after tomorrow or the day after that; you'll just say, "Well, he's the head of the district, and so we can't get rid of him," regardless of what terrible things happen to teachers within that district.

Now, I think there comes a point—and that point has come, because, after all, this didn't start yesterday, it started last May 9. And Mr. McCoy has been insubordinate ever since then. When the Board of Education has to say that this person may be very important, he may be conducting education there, but he has not followed our orders, he has disobeyed them; teachers have been threatened, extremists have been permitted into the schools, and it's about time that we reopened the schools for one million children and not just keep those schools closed in order to protect one individual.

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'We're trying to get an assumption of local responsibility. We're trying to get voluntary compliance. We have made progress.'—Doar

(Continued from Page 6)

DOAR: WELL, I DON'T THINK you—I don't think you've fairly stated my position, and I'm not sure that I can answer all of the things you've said. I'm sure you didn't—I'm sure you believe that Dr. Donovan hadn't talked to the principals that Friday . . .

SHANKER: THAT'S WHAT HE told me.

DOAR: . . . BUT THE FACT WAS he had talked to them. The fact was that he'd satisfied himself that those principals would not interfere with the teaching assignments of your teachers in the seven schools. The fact was that he satisfied himself that the teaching assignments would continue and that the schools would operate better, they would function better with those principals in the schools, and that we would get back sooner to a normal atmosphere with those principals.

We have confidence in those seven principals as mature, honest, honorable men. Now, with respect to Mr. McCoy and the injunction—certainly we have applied for an injunction. We've applied for an injunction against interference, because we don't want—we think just because a person's made a commitment to uphold the law and to carry out our directives that we shouldn't proceed to take all reasonable steps to help that person not only make the commitment, but carry out the commitment. But in getting compliance, the way to do it is to get voluntary compliance. And sometimes you have to be patient, sometimes you have to show great restraint, even though you have great compassion, even though you may be angry, even though you may be very irritated at persons who have failed to meet their responsibilities. But my whole experience tells me that if this country is going to run, if we're going to provide that which you want for your teachers, we've got to be patient, we've got to show restraint. We can't take drastic action just because we get impatient.

Now, the teachers—your teachers were teaching in seven of the—six of the seven schools where they were assigned. It wasn't perfect in those six schools. I'll admit that. I'm the first to admit it. But progress was being made. In the seventh school it was very unsatisfactory. We closed down that school for two days and had faculty meetings, tried to talk to the teachers, tried to see if we could get the situation resolved in a way so we could move forward again. We instituted certain charges against certain teachers in that school. We did it according to due process procedures. Those charges are pending now. That step, the additional steps we've taken against the board, the commitment that the board and Mr. McCoy and the principals have made, have all moved us further down the road toward compliance. Now, we don't want to go back to a situation where—where we're back where we were before. We've had these further positive steps. The situa-

tion, really, is much more encouraging now . . .

PRESSMAN: Do you agree, Mr. Shanker?

SHANKER: I DON'T THINK IT'S much more encouraging now, and I challenge some of the statements which you've made. I was present in a room with Board President Rose Shapiro, with Superintendent Donovan, with the Deputy Mayor, with the Secretary of the Board of Education, on the night before the third strike, and Dr. Donovan definitely said that none of those principals had been called or had been talked to and that he didn't have word from any of them that they would comply with the agreement, and that he hadn't asked them to. He had met with them and told them that they should comply, but that he had received no answers from any of them. And if you have any contrary word I'd be very happy to produce all those people to state what happened that particular night at that meeting which brought about the third strike.

PRESSMAN: Was that two weeks ago tonight?

SHANKER: YES, IT WAS TWO weeks ago tonight, and that brought about that strike, because the Superintendent of Schools definitely said that he did not have any commitment from them, that he didn't ask them, and they did not respond.

I want to say another thing about those seven principals. Judge Renaldi has declared that those seven principals are there illegally. They are not certified. They're not there properly. And I'd like to know why the Board of Education continues to employ them when the courts have said that they should not be. I'd like to know why the Board of Education continues defending the Ocean Hill-Brownsville governing board when the Court of Appeals last week not only affirmed the right of the Board of Education to suspend that governing board, but raised very serious questions as to whether that governing board is legally constituted, whether it was properly elected, the whole role of the Ford Foundation, the fact that no chance was given for any opposition group to run.

Now, I think that these are very important facets of this whole thing, and I still see a Board of Education trying to keep a particular governing board which has violated every rule in the book, seven principals declared by the courts to be illegally there, and a unit administrator who has defied every rule in the book ever since May 9th. And the Board of Education is keeping one million children out of school in order to defend these particular people in their positions, and I want to know how you justify that.

DOAR: WELL, YOU KNOW, I justify it in any number of ways and reasons, but the one I justify to you is this: in our judgment the course we take with respect to the Ocean Hill-Brownsville governing board, with res-

pect to Mr. McCoy, and with respect to the principals, is a course that in our judgment as public officials is the best way to insure and to enforce the right of your teachers to teach there and in other parts of the city free of harassment. We're trying to get an assumption of local responsibility. We're trying to get voluntary compliance. We have made progress.

Now, these questions about whether or not the principals should be there or not, I don't know the facts about that—so I'm not really able to respond to you. But I have been out in those schools. I have been to the various schools. And I've seen these principals operate. And your people have seen them operate. And those people are key officials in those schools. A principal in a school is the man that kind of sets the tone of the school. And these men have now said to you, "As principals we will honor these teaching assignments." Now, that's what you wanted from them, that's what you wanted from the governing board, that's what you recognized was what you needed to make—to give you the best chance to make this go.

Now, we've got a lot of other problems. You've got a lot of things that concern you, and rightfully concern your teachers, and you've got lots of concern about the way the Board of Education operates. We can't solve all of those tonight. But if we could just agree that we would put our shoulders to the wheel, you and the board and the governing board of Ocean Hill-Brownsville, and try to make this thing succeed on a voluntary basis as men, I'm satisfied that that course is the course for progress in the City of New York. And it's the course that is best going to provide security and protection and freedom for your teachers.

SHANKER: WELL, I'M SURPRISED that you keep talking about voluntary compliance, because I'm an admirer of your record in the south in terms of civil rights where people for years said "let's wait until people go around loving each other and then everything will be fine. . . ."

PRESSMAN: You're talking about Mr. Doar's background as Chief of the Civil Rights Prosecuting Division of the Justice Department?

SHANKER: YES. THAT'S RIGHT. Right.

But you didn't wait until they went around loving each other, until they engaged in voluntary compliance. You marched in with Mr. Meredith, and you marched in with others, because you would have waited a very, very long time before you got voluntary compliance there, so you got another kind of compliance. And compliance it was, and as a result of that those institutions have been integrated.

Now, I want to say that I have not received the same kind of word from the principals that you have gotten. I have been involved in meetings, private meetings, at which the governing board said, "Yes, we're now going to say that we're going to take people back, but when they come back we're going to be able to transfer them, we're going to be able to fire them, we're going to be able to prefer charges, we're going to be able to get them one at a time. We're not going to make the same foolish mistakes that we've made in the past by obviously taking care of a bunch of people for the wrong reasons altogether." And I don't have—I don't

share the kind of optimism that you seem to have with this statement. I don't know where you got the statement from the principals. I haven't seen it. But I have been with members of the governing board, and I have received just these statements—"Oh, yes, we'll take them back," and then ten minutes later, "We'll get them one at a time." "Oh, yes, we'll take them back," and then ten minutes later, "But now we can get rid of them under the new decentralization proposals, we can fire them, or do something else."

Now, I also don't think that it's quite fair to say that while things weren't going quite well in the other schools that things were pretty good. When you've got teachers serving as servants, opening windows and taking children to toilets, when they've got to stand there and hear a fellow teacher tell the children that they're trying to kill them and that they're hated in the community and that they're not wanted—by the way, something which the governing board continues to say, that these teachers are unwanted both by the community and the governing board. That's the go-ahead signal. That's a wink, and it's a nod for everybody there to go and get these people.

And at a private meeting that I attended again with the governing board, and one of the things that Dr. Donovan said to Reverend Oliver, he said, "Well, if there's an agreement this time you'll have to promise to keep outsiders out of the schools." And the Reverend Oliver said, "The only outsiders in these schools are the UFT observers and the police." In other words, the Panthers, and Mr. Carson, and others who've been going in there to threaten the lives of teachers, are not considered to be outsiders by Reverend Oliver or that governing board.

And so you perhaps selectively tend to hear the things that you want to hear, the positive things. And I see some positive things in these recent statements. But I have to take a look at the signals that are there that tell us that they're about to get the teachers.

And I want to say one final thing, and that is that our major concern is not just with our teachers or with the protection of our union, because I think we're talking about every school in this city, and every child, and every parent, and the kind of people who are starting to enter schools and to operate on a basis of violence and threats of violence because they're so sure that the Board of Education isn't going to do anything about it.

PRESSMAN: Gentlemen, it seems to me that you have two proposals here, the Board of Education proposal that Mr. Doar endorses, the new proposal that you've made, Mr. Shanker. And I wonder, Mr. Doar, do you see any meeting ground between the two of you on this?

DOAR: WELL, I WOULD LIKE to continue to talk to Mr. Shanker, I would like to talk to the people out at Ocean Hill-Brownsville, I would try to work and work and work to see if we could reach a meeting ground between the parties to this dispute.

Mr. Shanker has said many things here. It's not possible for me to dispute them in this meeting, but I do want to recall to you last night when the Regents were here, that fine lady, Mrs.

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**'How are we to have confidence
in a Board of Education . . .
allied with extremists
within the city?'—Shanker**

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Hanson, got in the meeting and said . . .

PRESSMAN: *This was Friday night.*

DOAR: **YEAH, AT THE GOVERN-**ing board, and said, "There's one thing new here. Before, we resisted because it was—everything was crammed down our throat from the outside, but now because of our concern for the one million children and the fact that they're not getting an education, we have come forward and said we will accept the teachers, the principals, we'll honor those assignments."

Now, that's a step forward. And we ought to try to build on that, rather than continue to retreat behind suspicions and fears and allegations that may have been said to you directly, or you may have had reported to you that may or may not be accurate. We ought to try to move ahead to get these schools open and get this educational atmosphere as you want it.

And I have had considerable experience in getting compliance, and I've found that the only way you can proceed as a public official is to be one hundred percent fair, to be patient, not to take drastic action except in the last resort, to use in getting compliance not just directive, but to use negotiations, persuasions, appeal to assumption of local responsibility, appeal to the goodness in people, appeal to the fact that you've just go to do this because this is what the law provides. And I've found generally that we got compliance in difficult situations. Occasionally, at a very last resort, we had to take drastic action. But more times than not we were restrained, we were patient, we deferred, and tried and tried to get compliance.

SHANKER: **WELL, I CERTAINLY** agree with that approach. I think that probably the problem is one of timing, namely that you became Board President only two or three weeks ago, whereas we've been with this since May 9th. We've been through three Board of Education Presidents since these people got pushed out of their schools and went through all this intimidation. Now, I respect your desire to be patient, but please don't think that just because you came on the scene recently—and that's not your fault, but that your patience has to be coextensive with those people who've been living with this since May 9th. And I think it would certainly be—you know, we started with three hundred and fifty teachers. And then we were down to two hundred. And then down to a hundred and ten. And then down to ninety-three, and to eighty-three, and now we have seventy-nine. And it's very fine for each new President and member of the Board of Education to be patient as he comes in and spends his first two or three weeks taking a look at the cast of characters and the situation. But these people, the teachers, have been living with it since May 9th. And I think it's rather unfair to

have on the one hand a kind of in and out Board of Education which is constantly changing, but a group of teachers who are constantly being bombarded, and the Board members who come in and out constantly say "be patient."

PRESSMAN: *What about this question of patience, Mr. Doar?*

DOAR: **WELL, PATIENCE IS—**you know, if you're going to get compliance, compliance is going to take a period of time. We just don't have one teacher out at Ocean Hill-Brownsville, we have eighty-three teachers. The people out in Ocean Hill-Brownsville don't think that the law was correct. They thought that Mr. McCoy had the right to transfer those teachers. The law said that that was wrong. Judge Rivers decided that you couldn't transfer those teachers arbitrarily. There's great dispute as to whether that's right or wrong, but we've said "you must accept this," that due process right will be protected. Now the teachers go back and you make progress, and in certain instances we have some difficulties. As I say, that in some of the schools the situation was reasonably satisfactory—not perfect, not fully satisfactory, but we were moving forward.

Now, do we want to continue to move forward, or do we want to just out of frustration, out of anger, out of compassion for your teachers, out of irritation for somebody who defies the law, or some statement that one person may make that you may or may not take out of context, do we want to get mad and take some drastic action that will set us back from providing for you and delivering for you that which your teachers are entitled to—the right to teach free of harassment?

Now, I say, no, that's not the way to do it. The way to do it is to continue to move forward and show restraint, show patience, but be firm; move forward, keep persuading, keep negotiating, keep appealing to the best in people. And that's the way to best serve your teachers.

SHANKER: **WELL, I AGREE** that we've had progress, but I want to remind you how we had the progress. You suspended the governing board. You suspended Mr. McCoy. You suspended the principals. And with each one of those, attendance rose within the schools, more and more parents sent children there, the teachers had better programs. And now I would like to know why it is that taking—making this progress and taking these acts—which you took, we didn't take—why you want to go back on those particular actions? And I also want to talk about that meeting that you talked about just the other night, where one parent got up and made a very fine statement, and you pointed that out. But I think you should also point out the fact that a member of the Board of Education, Mrs. Canigliano, brought along with her quite a

number of people who caused a—oh, a near riot in front of the Board of Regents, with yelling and screaming and shouting and disrupting of the press conference, and everything else; and how the teachers or the parents or the citizens of the City of New York, how can we have confidence in a Board of Education where one member goes around inciting people, some of the extremists within that very community, to go in and break into the schools, when another member engages in anti-Semitic demonstrations—which, by the way, I was a witness to?

And all of the letters and apologies in the world on her part are not going to undo the fact that a dozen policemen and correspondents and members of the union saw that. How are we going to have confidence in a Board of Education which is supposed to enforce the law, and is supposed to bring some sort of reconciliation into the situation, when we feel that a majority of that Board of Education is not there to restore order to the schools, or to bring any sort of reconciliation, but they are there specifically as partisans of one side in the dispute and are allied with extremists within the city?

DOAR: **WELL, YOU KNOW, IT'S** not possible for me or for you to try out these allegations that you make in four minutes. A majority of the Board elected me President. Am I a partisan? A majority of the Board selected me to be the spokesman for the Board. Was that such a partisan act? My reputation is as a law enforcement officer. I served for seven and a half years in the Department of Justice. My reputation was to get compliance, to see that the law was observed. I can't see that that is such an evil act on the part of other members of the Board.

Your reference to Mrs. Canigliano, I think, is very unfair. I've only served with this lady for a month, but she's a fine, fine Christian woman. She doesn't have an ounce of racism in her. She's a fine person.

But we're not going to get anywhere, you and I, talking before the people of New York about personalities. What we've got—what we've got to—keep our eye on the issues. How can we as a Board of Education get for you over the short run and the long run that which your teachers are entitled to. As I've said and said again, it's unacceptable for a teacher to be driven from her job because of harassment. I think the course that the Board of Education has taken is the right course. We haven't backed off of our action. The governing board is still under suspension. We have said that if they don't comply that we were going to favor—we're going to have new elections. Mr. McCoy is under suspension. We've brought charges against certain individuals. Those charges are proceeding under the provisions of your contract. But we're taking the right steps. Give us a chance. Give a public body a fair chance to perform. That's all we ask.

PRESSMAN: *Gentlemen, we have about a minute and a half left.*

I wonder, gentlemen, if you can tell us—can you continue this discussion privately in the next couple of days, or do you think that you're both up against a stone wall?

How do you feel about that?

SHANKER: **WELL, WE CAN. AND** we will. And we'll keep talking. But I just feel that it's a terrible shame that the schools can't open for a million

kids, because apparently the rights of a handful of individuals, all of whom have violated the directives of the Superintendent of Schools, and the Commissioner, and Judge Rivers, and the Board of Education—but, apparently, their continued position in the school system is more important than the continued education of a million children. And that I cannot understand.

PRESSMAN: *Do you see any hope in view of Mr. Shanker's statement tonight?*

DOAR: **WELL, I WANT TO CON-**tinue to talk to Mr. Shanker. I will continue to talk with him. We talk practically every day. I make an effort to see if I can work out some kind of a formula that's acceptable to him. There's nothing I . . .

PRESSMAN: *Do you think his formula represents any progress?*

DOAR: **WELL, I THINK THE** fact that he comes here and talks with me tonight and says "I'd like to do this," "I don't want to abolish the governing board, we'll not push that"—I think that is progress. I think it's a step forward.

But I want to try to bring about compliance. And I think that the Board of Education has to act impartially and fairly and in a way that the Ocean Hill-Brownsville people believe they are being treated fairly.

Now, there's nothing that we want more than to get those kids back in school. But I'd ask you, Mr. Shanker, to just reconsider your position and see whether or not you could give us the chance, give the Board of Regents a chance to show you that we can get compliance.

SHANKER: **WE HAVE RECONSI-**dered it. We've been in and out of the schools. This is the third strike. And everytime we went back our teachers were intimidated, they were threatened, they were not given teaching programs. We've had good faith, good will, we've gone back, we've really been burned. And maybe your notion of being patient for a year or two—by the time that's over there won't be three and fifty teachers, or eighty-three, or seventy-nine—there'll be none. And that will be a signal to every extremist in the city of New York to go into his school and do precisely the same thing with the teachers and the principals there, and that's the end of public education in the City of New York.

PRESSMAN: *Gentlemen, a short answer. Right now is there hope, Mr. Shanker?*

SHANKER: **THERE'S ALWAYS** hope. Strikes always end.

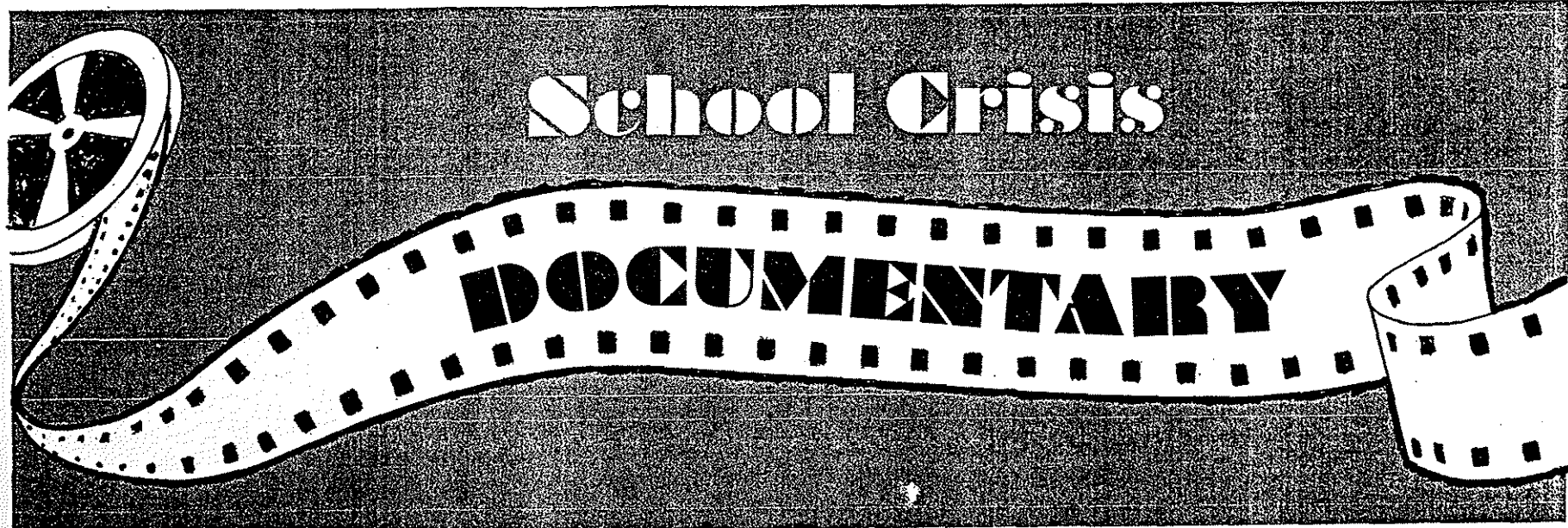
PRESSMAN: *Mr. Doar?*

DOAR: **I BELIEVE THERE'S** hope. I believe that we're going to go forward and build a better educational system for the kids of New York, and we're going to do it by working together, the UFT, the Board of Education, and the community.

PRESSMAN: *Thank you very much, gentlemen, for being with us tonight.*

This has been a special program on the school crisis, which is now entering its eighth week. And we appreciate very much the appearance here tonight of two of the principal figures in that situation, Albert Shanker, the President of the United Federation of Teachers, and John Doar, the President of the Board of Education.

This is Gabe Pressman, NBC News. Good night.



School Crisis

DOCUMENTARY

THURSDAY, OCTOBER 24—Negotiations to end the school strike remained stalled today despite a series of informal talks and activity on various state and local levels.

Board of Education President John M. Doar said that "the situation was not satisfactory." In Albany, Dr. James E. Allen, Jr., State Education Commissioner, discussed the crisis with members of the Board of Regents at its monthly meeting. Dr. Allen, according to the press, has been "under increasing public pressure to intervene in the strike dispute."

UFT President Albert Shanker said that if there was not decisive action within the next day or two the state should step in.

School custodians, who are supporting the UFT, warned of dangers arising out of "amateurs" operating oil burners in schools that are open. If this continues "there will be a disaster," custodians said.

The custodians issued their warning through Walter J. Degnan, president of the Council of Supervisory Associations.

The custodians charged violations of the city law which requires that anyone operating an oil burner in a public building must have a certificate of fitness from the Fire Department. Boilers in school buildings are fed from 10,000-gallon tanks, with as many as three such tanks in larger buildings.

In the City Council, eight members petitioned the Mayor to call an immediate meeting of the Council "to take up the present school crisis."

The City Charter provides that the Mayor must call a special session upon the petition of five councilmen.

The councilmen had submitted their petition for a special session after an unsuccessful attempt at Tuesday's regular meeting to get the Council to discuss the school crisis. Matthew J. Troy, Jr. (D-Q.) charged that the Council's leadership had adjourned the meeting to block his efforts to bring the school crisis up for debate.

In addition to Troy, the councilmen who signed the petition were the following Democrats: Edward V. Curry (S.I.), Arthur J. Katzman (Q.), David B. Friedman (M.), Monroe Cohen (K.), Walter Ward (Q.), Saul Sharison (M.) and Queens Republican Joseph Modugno.

Some 23 city members of the State Legislature called upon Governor Rockefeller to convene a special session "to suspend the New York City Board of Education." They proposed the replacement of the central board by "a temporary commission that would work for a cooling-off period and would be empowered to reopen the schools."

The Appellate Division of the State Supreme Court sustained the Board of Education's recent suspension of the locally-elected Ocean Hill-Brownsville governing board. In a sharply-worded opinion, the court noted that there had been "ample basis for the suspension" because the local board had disobeyed the lawful orders of the central board, directing the reinstatement of the UFT teachers in dispute.

(For details on court ruling, see story elsewhere in this issue.)

The State Legislators, represented by Sen. Albert R. Lewis (D-K.) and Assemblyman Leonard M. Simon (D-K.) asked Mayor Lindsay "to admit his failure and pull out of the school system."

FRIDAY, OCTOBER 25—This afternoon, at a press conference, UFT President Albert Shanker challenged Mayor John V. Lindsay to a debate, as "a confrontation in front of the public to bring out the facts and to discuss the differences between the UFT and the Mayor."

The UFT head disputed the Mayor's role in the whole strike, pointing out to questions fired at him, that "either the Mayor is trying to deceive the people or he does not know what is going on in the schools."

Mr. Shanker was referring to the anomalous situation of Mr. Rhody McCoy, suspended, ordered to report to 110 Livingston Street, but still in the demonstration district, as well as the suspended governing board "continuing to function."

Queried by the press on whether a settlement could be reached with Mr. McCoy and the governing board "still intact," Mr. Shanker replied, "No, how could we send teachers back to the schools when they went back on the basis of 'good intentions' last time?"

"This is the last strike this year. We will remain out until those who make these threats against teachers are removed. Then, there will be school again. The teachers are not yo-yos."

Turning next to a point which he continued to stress in the next few days, President Shanker challenged the Mayor, saying:

"The Mayor is evidently willing to keep one million children out of school to protect one governing board and one unit administrator, both of whom have violated the agreement. Has there been a promise to protect them? Will the Mayor keep the children out for weeks in order to protect these individuals?"

"Despite any pact between them, will the Mayor have the guts to remove these people?"

At the press conference, both NBC and CBS television quickly proffered time for any debate between President Shanker and Mayor Lindsay.

President Shanker went on to score the Mayor for "not reading the reports of his own observers" if he describes the conditions in the schools in the district outside of IS 271 as "normal."

In rebuttal to the Mayor's charge that "the union was trying to tear down the community by the strike," the UFT head shot back:

"It's the Mayor who is destroying the city, ever since May 9, by creating racial hostility and polarization. It's disgraceful trying to pin the blame on me and the UFT."

"Where was the Mayor in May and June afterwards?"

"Thank God, there's a union to fight for the public school system."

In conclusion, President Shanker underlined the basic points as seen by the UFT:

"Will the governing board continue to function?"

"Will the governing board continue to go into the schools?"

"Will those who commit these threats continue to function?"

"Will Mr. McCoy continue to be paid \$30,000 a year even though he defies the orders of the Superintendent and the central Board?"

"Will Mr. McCoy's authority continue to remain intact?"

"Will the principals in the district continue to work?"

In the evening, the State Education Commissioner,

Dr. James E. Allen, Jr., offered a proposal that was rejected by the union at a meeting at the Hotel Commodore in New York City.

Dr. Allen offered to assume the responsibility for the safety of the UFT teachers to the Ocean Hill-Brownsville district's schools.

At the same time, Dr. Allen proposed the lifting of the suspension of the governing board and of unit administrator Rhody McCoy.

UFT President Albert Shanker, in turning aside the new proposal, said:

"I think the Board of Regents' proposal is obviously a complete capitulation to the demands of the Ocean Hill-Brownsville governing board. It goes backwards ten steps."

The proposal by Dr. Allen also called for the return of the 79 UFT teachers to teaching assignments in the district; the return of the eight principals to their posts; the establishment of guidelines "to bring into harmony the rights of the teachers and the protection of these rights, and the rights of a community."

The State Commissioner also stated that if there was any action by any restored individual to interfere with any of the 79 teachers, this would be "regarded as justification for immediate removal or other appropriate disciplinary action by the Commissioner, rather than more symbolic suspensions."

SATURDAY, OCTOBER 26—A second, but undisclosed, proposal to end the third teacher strike came from State Education Commissioner Dr. James Allen today. The Commissioner's first proposal, offered on Friday night at a meeting of all the parties at the Hotel Commodore, was flatly rejected by the UFT as "a complete capitulation to the demands of the Ocean Hill-Brownsville governing board." The Rev. C. Herbert Oliver, chairman of the governing board, on the other hand, declared the proposal acceptable.

The new proposal was not made public, but was apparently to be considered by all of the parties privately. The same day, two UFT officers spoke at a panel discussion sponsored by the New York Jewish Labor Committee. Jules Kolodny, Assistant to the President, insisted that the union was not against decentralization, and called for "responsible community control" which respected the UFT contract. Richard Parrish, Assistant Treasurer of the UFT, said that "black people must have a sense of controlling the educational destiny of their children."

The growing concern over the use of schools in the oncoming election brought a statement from Democratic State Chairman John Burns on Saturday. He asked that Governor Rockefeller intervene to settle the crisis. Burns was concerned both for the education of the children and that the schools be open for voters on November 5th. He was especially concerned because the presidential race was so close in New York State.

The day also brought a statement from McGeorge Bundy, president of the Ford Foundation. Bundy said that the current crisis indicated that decentralization, in the form of transfer of power to local boards, should have begun long ago. He also insisted that it must proceed with the protection of teachers' rights insured,

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and that community participation and such protection were not incompatible.

Bundy admitted that the local conflicts went deeper than he had realized when the research required for the drawing up of his last year's report, "Reconnection for Learning" was done. He also conceded that the plans for the three demonstration projects had been drawn up hastily, but said that with conditions what they were, "there was no time for delay."

Bundy gave a new emphasis to his earlier plan when he suggested that the powers of the central board needed to be strengthened during the planning stages and while the transition to decentralization was underway. He said that, "Perhaps we failed in not making the point more sharply that you need a strong central agency, with public confidence, as well as decentralization."

The Ford Foundation president made the statements following mounting criticism of the organization in supporting the three demonstration projects. He defended its work by pointing out that the foundation had been involved in numerous projects, such as those to introduce vocational education reforms, train school administrators, and improve the financing of public education. He said that it was not the role of the foundation to try and solve the school crisis, but that he and his staff would be available for discussion of the problems.

Saturday evening 500 teachers gathered at Gracie Mansion to protest the indecisive policies of the Mayor. The teachers brought flashlights with them which they waved as they circled Mayor Lindsay's home.

SUNDAY, OCTOBER 27—The real "action" on this day took place in its waning hours, specifically, during a television confrontation between UFT President Albert Shanker and new Board of Education president John M. Doar, from 11:30 p.m. to midnight on WNBC-TV.

President Shanker made a new offer to settle the strike, on the following basis:

- Continuation of the temporary suspension of the governing board;
- Continuation of the relief of Mr. Rhody McCoy as unit administrator;
- Relieve the district principals from their duties for a temporary period;
- Temporarily close IS 271;
- Return the UFT teachers to classroom duties; and
- Maintain Board of Education observers in the district.



Mr. Doar rejected the proposal, saying it was "difficult to turn the clock back" to the last school day of Friday, October 11, as had been suggested by President Shanker.

He claimed that the various officials whose suspension was an integral part of the union's new proposal for settling the strike had, since October 11, agreed to accept and live up to the orders of the Board of Education and Dr. Donovan.

A dispute between Mr. Doar and President Shanker arose over whether or not the eight principals in the district had agreed to obey Dr. Donovan's orders.

The UFT head maintained that there had not been any such commitment on the part of the principals and that he had been told this by Dr. Donovan himself. Further, President Shanker declared, there were

witnesses to this lack of commitment on the part of the principals.

Mr. Doar, on his side, pressed his position for the settlement of the dispute by "voluntary compliance" on the part of the governing board and the administrative staff in the district.

He declared that "the acceptance of local responsibility" by the governing board, in agreeing to accept back the union teachers, was a key improvement in the situation.

Earlier, during the 11 o'clock news on WCBS-TV, Dr. Donovan appeared for a brief interview. Informed of the new proposal by the union to end the strike, he reacted favorably and promised that the UFT plan would be "considered carefully by the Board of Education," unaware that Mr. Doar would be rejecting the proposal in less than half-an-hour.

In other activities, carried on secretly during the day, the State Education Commissioner, Dr. James E. Allen, Jr., met privately with various parties to the dispute, evidently trying to find a formula acceptable to all to end the strike.

On Friday night, the UFT had rejected Dr. Allen's proposal for assumption by the State of the safety of the teachers and, in addition, the reinstatement of the governing board and Mr. McCoy.

MONDAY, OCTOBER 28 — Despite earlier expressions of hope, the day ended without any headway being made towards settlement of the school crisis.

Officials of the Board of Education and UFT representatives reported "no progress" after a three-hour-long night session.

At an afternoon press conference, UFT President Albert Shanker called upon the Board of Education to hold a public hearing on the union's proposal aimed at "restoring education processes" and "returning the schools to normal teaching."

The union's plan, which had been outlined on Sunday, called for the temporary closing of J.H.S. 271, the continued suspension of the local board, unit administrator and principals involved in the Ocean Hill-Brownsville dispute. (See Sunday, October 27 report).

These points had been part of the Mayor's and Board's earlier proposals.

Board of Education President John M. Doar had rejected the UFT plan Sunday. The next day he said that he had acted as an individual and that the proposal would be placed before the full board.

Pointing out that the union had submitted the Mayor's proposal to its Delegate Assembly—"our public"—Shanker urged the Board to allow the public to voice its views on a plan that sought to end the strike.

In answer to a reporter's query, Shanker declared that the union was not going "to tolerate the vigilantism and violence that is being tolerated by people in high places."

He asserted that the Ocean Hill-Brownsville issue was a "test case" and that groups of extremists were waiting to move in on other districts "if they saw someone else get away with it."

The UFT head said that the union had not sought a special session of the State Legislature and did not think one was "warranted now." But, he added, if the dispute is not resolved soon, a special session "might well be the answer."

Shanker also ridiculed Mayor Lindsay's accusation that the union was seeking to force a special session in the hope that it remove the school and central board and "kill decentralization."

In the first place, the union was not opposed to decentralization, Shanker said. Further, it was highly presumptuous of the Mayor to assume that he was privy to the thoughts or motives of other persons.

Shanker also announced that the union's offer to buy television time—to answer the Mayor's "free time" attacks on the union and its leadership—had been turned down by all major networks, without reasons being given. He added that the UFT attorneys were now looking into the matter.

The Ocean Hill-Brownsville governing board announced acceptance of the plan presented Friday night by State Education Commissioner James E. Allen, Jr.

Dr. Allen's proposal, which had been rejected by the union because it did not address itself to the main issues, called for state observers to oversee the return of the 79 union teachers and reinstated the suspended local board, unit administrator and seven principals.



Dr. James E. Allen, Jr.

Twenty-four UFT pickets at J.H.S. 263, Brooklyn, complained that they were shoved and threatened by a crowd numbering some 50 persons.

TUESDAY, OCTOBER 29 — A state take-over of the Ocean Hill-Brownsville district was proposed today by Dr. James E. Allen Jr., State Education Commissioner. The proposal calls for a trustee to run the district and oversee the return of the 79 UFT teachers.

Under the Allen plan, district administrator Rhody McCoy would be reinstated in his post if he agreed to serve under the state trustee, the eight principals would remain in their positions while the suspension of the local board would be continued.

While not making a formal response to the proposals (since the union had not been formally notified), UFT President Albert Shanker told a press conference that a mere "paper change" would not resolve the issues so long as the Mayor and Board of Education permitted the unit administrator and the principals to "subvert and sabotage" agreements reached with the union.

In answer to a query, Shanker said that it had never been the union's intention to obstruct the conducting of the Nov. 5th elections. "We want and urge everyone to vote and will do everything we can to make that possible," he said.

However, he added, the union hoped and trusted that the Board of Education would not seek to use the opening of schools for the installation of voting machines as a cover to bring in scabs.

In a joint statement with the Council of Supervisory Associations and Local 891, International Union of Operating Engineers, the UFT spokesman pledged "to cooperate with all interested parties and agencies to work out details related to the delivery, protection and inspection of voting machines."

This pledge was incorporated in a telegram to Maurice J. O'Rourke, Commissioner of Elections.

Following is the text of the six-point Allen plan:

"1. The appointment of a state trustee for the Ocean Hill-Brownsville District, responsible directly to me, who shall assume responsibility for the orderly operation of the schools of the district. The trustee's staff will include personnel, appointed with my approval, who will be in constant attendance in each school to deal promptly and effectively with any interference with the rights of the teachers.

"Those personnel will be assisted in each school by teams of observers, whose membership will include representatives designated by the UFT and the Board of Education. Provision will be made for hearings at the local level, to be conducted by a direct representative of the trustees, before final disciplinary action is taken. Any teacher who feels that such disciplinary action was improper may appeal to me.

"2. The lifting of the suspension of the members of the Ocean Hill-Brownsville board will be postponed until such time as I determine, in consultation with all the parties, that the orderly operation of the district may properly be returned to the community. Following the

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reinstatement of the local board, the state trustee will remain until the orderly operation of the district has been assured.

"3. If the unit administrator assures me that he can serve under the direction of my trustee, he will be offered the opportunity to reassume his duties as the educational administrator for the district.

"If he decides that he will be unable to carry out the policies and directives of the trustee, I am confident that he will promptly inform me of that fact, so that he may be given an assignment elsewhere. If he reassumes his duties, but fails to perform them in a manner consistent with the trusteeship, I shall immediately direct his reassignment.

"4. Each principal who gives me similar assurances will be permitted to continue at his post. Any principal who is unable to give such assurance, or whose actions are inconsistent therewith, will be assigned elsewhere.

"5. The 79 teachers who are members of the UFT will be returned to their regular teaching assignments.

"6. All Ocean Hill-Brownsville schools will be reopened. If experience demonstrates that the conditions which have prevented the orderly operation of [Junior High] School 271 cannot be remedied, I shall direct that the operation of this facility as a junior high school be terminated, and that it be subsequently reopened as a high school, as recommended by Superintendent [of Schools Bernard E.] Donovan."

Richard Nixon, Republican presidential nominee, issued the following statement on the school shutdown:

"I have never believed that the safety of citizens or the education of children were legitimate counters on the table of collective bargaining. I do not approve of the present closing of the city's schools; and I trust it will end.

"But I also recognize that the motive behind the teachers' actions is a far more compelling one than simply the matter of a higher wage or shorter working hours.

"When we talk of restoring respect for law in this country, we mean respect as well for the symbols of legitimate authority. One of these is the solitary policeman on the beat; but another is the teacher in his classroom.

"In the Ocean Hill-Brownsville district, I understand that not only was the authority of teachers questioned, but a number were physically submitted to intimidation and threats of violence.

"The toleration of insults and threats of violence is not, in my view, one of the duties of a teacher. I do not believe that any teacher has an obligation to work under the conditions that I understand have prevailed in the Ocean Hill-Brownsville district.

"The processes of education cannot continue in a climate of tension, and the teachers in that district have a right to require ironclad assurance that before they return, the tensions and threats be ended."

The Board of Education the same day issued rules which detailed and defined the powers of local boards under the interim decentralization plan. (For details, see page 9.)

These guidelines were to be discussed with local boards on Thursday and a final version subsequently to be distributed to local districts.

The interim decentralization plan will be in effect until June 30, 1969. The central board must submit long-range proposals by December 15 for subsequent action by the State Legislature.

In the event the Legislature fails to approve a permanent plan, the interim program will expire at the end of the current year and the central board would resume the powers now delegated to the 30 local boards and three demonstration districts.

WEDNESDAY, OCTOBER 30th — As the UFT Executive Board unanimously rejected a second proposal made by State Education Commissioner Dr. James E. Allen, the hint of a possible special legislative session came from Governor Nelson Rockefeller. The Union's Executive Board met at 2:00 p.m., after an all-morning session of the Negotiating Committee had ended in a rejection of the plan. In a concurrent development, the Court of Appeals in a 4 to 3 vote decided that UFT President Al Shanker would not be granted a jury trial. His trial will instead be presided over by one judge.

In announcing its unanimous "no" vote, the Executive Board made a statement emphasizing the back-

ground of the dispute, and how it had led them to reject the plan. The statement follows:

The Executive Board of the UFT has given careful consideration to the proposals of New York State Commissioner Dr. James Allen. These proposals cannot be considered apart from the background of this entire dispute and the previous proposed solutions.

We wish to emphasize the following points:

1. The UFT has returned to the schools twice this term. Each return was accompanied by a written agreement and solemn assurances from the Mayor, the Board and the Superintendent of Schools. These agreements were violated and the assurances were worthless because of the actions of the Ocean Hill-Brownsville governing board, Mr. McCoy, the principals and certain teachers.

Now we are asked to return again with Mr. McCoy and the principals still there. We had this same kind of agreement before, when we returned to school on the basis of "assurances." The only difference is that this time instead of being asked to "trust the Mayor," "trust the Superintendent" or "trust the Board" we are being asked to "trust the Commissioner." We believe this to be an unsound approach. The time for paper promises and verbal assurances is long past. The teachers, parents and citizens of this city must have ACTION. The citizens of the city cannot understand the intransigence of high public officials which continues in office a governing board and a unit administrator who are in violation of the decisions of Judge Rinaldi, Judge Rivers and the Appellate Division, who have flouted all agreements entered into by the Mayor and the Board of Education at the expense of the education of a million children. The Board of Education claims that they are for strengthening due process and law, while they are in violation of a judge's order declaring the seven principals in their posts illegally. Instead of asking for "faith," instead of sending in one watchdog after another, it is about time we ousted those who have deliberately violated every agreement, who have encouraged threats and intimidation of teachers and who have therefore done such great damage to our children, parents and teachers.

2. The proposals by the Commissioner fall far short of proposals made by the Mayor and the Board of Education, which also were unacceptable. They are a step backward—an attempt to meet Ocean Hill-Brownsville demands. (The takeover by the Commissioner was requested by Ocean Hill-Brownsville several weeks ago.) About a month ago, even the Board of Education asked the Commissioner to take over the district, but the Commissioner replied that he did not have the power to do so, and our attorneys concurred. Whereas the Mayor and Board of Education called for the continued suspension of the governing board and McCoy and the closing of JHS 271, upon the recommendation of the Superintendent of Schools because of the violence which occurred there, Commissioner Allen reinstates Mr. McCoy and opens 271. This is no solution, no change in the conditions which caused the strike.

3. We call upon the Commissioner of Education to reconsider his proposals and in his reconsideration to develop new suggestions which will be in conformity with recent court decisions. We refer specifically to the Rinaldi decision, which states in part: "None of those appointed as Demonstration School Principals . . . is eligible . . . I have no hesitancy in pronouncing the appointment of (the OHB principals) invalid."

Decision of Rinaldi, March 4, 1968:

"I have no hesitancy in pronouncing the appointment of Irving Gerber, William H. Harris, Louis Fuentes and Ralph Rogers invalid. It is to be noted that although Irving Gerber was on the eligible list for appointment as an elementary school principal, he was not one of the first three persons on the list and accordingly section 2573, subdivision 10 was violated by his appointment."

Also the recent decision of the Appellate Division of the Supreme Court should be carefully considered before any new proposals are made. The decision properly questions the legal existence of the present governing board: "Whether, in view

of the facts stated *supra* with respect to the lack of statutory authority for their election or the manner of their 'election,' this governing board may be deemed to be a duly elected body is subject to serious doubt."

4. While we have been making every effort to resolve this dispute, the New York City Board of Education has just issued decentralization guidelines. Specific guidelines have been needed, but the guidelines issued contain provisions for teacher transfer which are in violation of the UFT contract. The continued flagrant violation of our agreement by the Board of Education adds to the difficulties in ending the strike.

5. Any proposals designed to end the strike—and end it on a permanent basis—must create an effective mechanism for dealing with acts of reprisal and intimidation in other districts such as the firing of teachers at IS 201, Two Bridges, and District 13, as well as threats to prevent numbers of custodians and supervisors from resuming their duties. When teachers return to school it must be for good, with the knowledge that education throughout the city will continue in a safe, orderly and dignified atmosphere.

We call upon the Commissioner of Education to institute immediate meetings with the United Federation of Teachers with a view to arriving at a settlement of this dispute which will allow the one million children of the City of New York to resume their education in a school system free of threats of violence, intimidation and harassment. The citizens of New York demand no less.

October 30, 1968

Though hesitant, Governor Rockefeller said, after the Union decision had been relayed, to him that "this leads us closer to a special session. . . ." Rockefeller said that he would "prefer to avoid" calling such a session, and that he hoped "Dr. Allen will be able to come up with a solution."



The Board of Education met early in the day and voted to accept the plan. The Rev. C. Herbert Oliver, Chairman of the Ocean Hill-Brownsville Governing Board, said that even though the Board might disagree with parts of the plan, "we will live with it." His Board members, who had met with Dr. Allen, had announced earlier that they were neither accepting or rejecting the plan.

Rev. Oliver also published a letter from the governing board to Commissioner Allen. In it the governing board repeated its willingness to cooperate with the return of the teachers. It also was critical of any attempt which might be made to close the school. The letter asked that the district become "a ward of the state for educational excellence for a period of three years as a model demonstration district regardless of the action of the UFT in relationship to the strike."

While rumors of a possible legislative session began to spread, a petition to call a special meeting of the City Council was rejected by Mayor Lindsay because, as he said, it was "too broad and indefinite to meet the statu-

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tory requirements as to specification of the precise business to be transacted." The Mayor must, under City Charter, call such a meeting if a petition carrying five signatures is presented to him. Councilman Mathew J. Troy, a Queens Democrat, and one of the petition's signers, has obtained a court order directing Mayor Lindsay to show cause why he should not call such a meeting.

The rejection by the Court of Appeals to grant Albert Shanker a jury trial meant that the earlier ruling of State Supreme Court Justice Francis J. Bloustein had been upheld. The effect of the ruling was to make it possible for the trial of the UFT President to continue. UFT lawyer Ralph Katz said that he and the Union were "actively considering" taking the case a step further to the United States Supreme Court.

THURSDAY, OCTOBER 31 — A heated Delegate Assembly solidly turned down the latest proposal of State Education Commissioner James E. Allen at a morning meeting held at the Felt Forum of Madison Square Garden. At the same meeting delegates heard UFT President Al Shanker recount the history of the current dispute, and discuss the reasons why the officers and Executive Board had recommended that the Allen proposal be rejected.

The union chief also expressed reservation as to the possibility of an emergency meeting of the state legislature to resolve the school crisis. He admitted, however, that "if the Mayor, the Commissioner, and the Board of Education are unable to act it may be the only answer."

The delegates meeting, which opened with reverberations of "Lindsay Must Go," and "Murray Kempton, Tell the Truth," heard President Shanker discuss the latest proposal. He said, "About the only thing new we have been offered, after we have been told to trust the Mayor, trust the Board of Education, and trust the Superintendent of Schools is—trust the Commissioner."

Shanker said that anyone who attempts to say that Rhody McCoy would work for the Commissioner is trying to fool people. McCoy's position has been consistent, he pointed out, he is for community control and represents the governing board. He also said that Judge Rinaldi had ruled in precise terms that the principals in the district have no right to be there, and that the appointment is an evasion of the law.

"Yet the Mayor, and the Board, and the Commissioner continue to allow the schools to be closed to teachers and children in order to see to it that an illegally appointed group remains there," Shanker said. He went on by citing another court decision—one that had come out of the Ocean Hill governing board's attempt to obtain a court decision against the Board of Education for suspending it.

The Court decided not only that the Board of Education had a right to suspend the governing board, but also said that the election by which that board had been selected was suspect, as were subsequent appointments made to the local Board. The decision also raised questions about the propriety of the role of the Ford Foundation in the creation of the district board.

Shanker devoted a part of his remarks to the news



District Leaders and Co-Leaders from districts 11-20, front row, (l. to r.): Joseph Zogby, #18; Marshall Leventer, #14; Mrs. Jeanette DiLorenzo, #15; Lester Weinberg, #17; Harold Saltzman, #19; (rear row, l. to r.): Fred Koury, #18; John DiLorenzo, #15; Sol Feingold, #20; Gilbert G. Goldsmith, #12; Peter O'Rourke, #13; William Isaacs, #11; and Gerald Walts, #16.

coverage of the strike and the bias many teachers feel has been evident. He said, "We must realize that people who own newspapers have enough money to have biases against unions." He was critical of the fact that none of the major papers have reported the Rinaldi decision, or the recent decision raising questions as to the legality of how the governing board was constituted. "But it is always mentioned that the strike is illegal," he said. "How many stories do you read that say that the highest attendance in the district was right after we went in, and right after Rhody McCoy was suspended?" he added.

"There is a fantastic job being done on us," he went on, "—the one thing they just can't tolerate, is that we are an organization that has always stood for civil rights for both black and white. If it were another organization they could write their articles more easily—but, we haven't turned around with backlash people, or backlash signs—we have turned every time we went back and offered to extend a hand to any community that will work with us."

"It's very simple to write a column—to put words in my mouth. I think that all of these writers who are trying to rewrite our history and our progress and our spirit—I think that they ought to look into themselves and see if they haven't taken a racist position—a racist position which says that Mr. McCoy and the governing board must be treated differently, and that we must tolerate from them anything that we would not tolerate from others in the system."

The UFT President also dealt with the concerns many teachers have had that the opening of schools for the election might result in large number of parents and teachers entering the schools. He said, "All this means is that a few thousand scabs will be spread over a number of schools and that none of the striking teachers will go back." The delegates rose to applaud their approval.

In commenting on the possibility of a special session

of the state legislature, Mr. Shanker said, "We did not, and are not asking for it. It has not been our purpose to have the decentralization legislation repealed. We have said it before and we say it now. I hope the situation will be resolved in the next few days without such a session."

Walter Degnan, President of the Council of Supervisory Associations, also spoke to the delegates. He too countered the charges that the professionals were acting on the basis of hostility and bias. He said, "I don't think there is any group in the world that is more concerned about brotherhood and living together than the teachers and the supervisors of this city. Now—if we are to be seen as not being that way simply because our position is unpopular—that would be a most dastardly thing."

Most delegates who spoke were in favor of continuing the strike; a few spoke their opposition to that course of action. Mark Uberman from Central Commercial High School said, "I think we have made a magnificent stand and should stay out—but I am concerned that if we persist for total victory, namely the resignation of Rhody McCoy and the governing board, —I am concerned that that victory will vanish when we have to live the rest of our lives with parents and their children."

Another delegate, Ben Kaplan from Taft High School, said "We want the Mayor and all other parties concerned to guarantee that we can teach without harassment and with academic freedom, and so that we can discuss any issue in any district."

Emanuel Weinberg from the Bureau of Child Guidance spoke out in favor of accepting the Allen proposal. He said, "We should accept this proposal on this basis. There comes a time when we have to be trusting and go back. I am ready to walk out tomorrow if there is no compliance. We have nothing to lose, and we could gain the respect of the community as a group that has made every effort to solve this dispute."

Later the same day Governor Rockefeller echoed the union chief's reservations about a special legislative session and said he hoped the parties would solve it themselves. Mayor Lindsay expressed an even greater doubt about the prospects of a special session. He said, "Special sessions are troublesome. . . . The consequences of a special session might result in more serious problems than we have now."

In related developments Dr. James E. Allen, Jr. announced that he was continuing his efforts to resolve the dispute; and that evening, on a WABC-TV news program, Al Shanker agreed to an earlier proposal made by Rhody McCoy that a public hearing on the school crisis be held. When questioned by the WCBS reporter as to the degree of public support for the Union Mr. Shanker replied that he would be willing to submit the whole question to a public referendum within 60 days. "That's how confident we are of public support," he said.

FRIDAY, NOVEMBER 1 — Mayor Lindsay's proposal calling for school strikers to return to work and to submit the issues in the dispute to binding arbitration was rejected today by three parties in the dispute—

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District Leaders and Co-Leaders from districts 1-10, front row, (l. to r.): John Traube, #5; Sanford Blair, #10; Mrs. Joan Fischer, #7; Helen Thompson, #6; Howard Bloch, #9; rear row (l. to r.): Robert Lastrowsky, #5; Jacob Friedes, #8; Ivan Tiger, #2; Paul Gershon, #8; Kenneth Weissman, #4; Bruce Davidson, #6; and George Fesko, #1.

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the UFT, Rhody McCoy, unit administrator, Ocean Hill-Brownsville district, and by Board of Education President John M. Doar.

UFT President Albert Shanker described the proposal as "the same warmed-over and unacceptable package that would continue to keep those who have threatened violence in the schools.

"Since the Mayor has already said publicly that there have been acts of violence, racism and anti-semitism, he should not duck the issue by passing it on to an arbitrator—he should act like a Mayor and handle the dispute."

Unit administrator McCoy also cold-shouldered the proposal, saying: "I hardly think there is anything to submit to arbitration."

While there was no public comment from the Board of Education, the press reported that city Board President Doar had told the Mayor's office earlier in the week that he was opposed to submitting to arbitration a key issue—the removal of the seven principals in the dispute.

The Mayor's arbitration proposal was in the form of a letter to leaders of the State Legislature which led some state sources to interpret the move as an attempt to ease public pressure for a special session.

At a press conference late in the afternoon, Shanker accused the Board of Education and the Mayor with making no move to end the strike in the hope that teachers "would lose heart." "That tactic will fail," he added.

Shanker also expressed the union's deep regret over a statement by Whitney M. Young Jr., executive director of the Urban League, which charged that Shanker was "making a ruthless play for power" depriving children of "their right to an education" and throwing the city into "racial strife."

Mr. Young, who today resigned from Mayor Lindsay's fact-finding panel, also charged that "Mr. Shanker created the issue of racism and anti-semitism."

"The issue of due process for teachers, a dubious issue from the beginning," Mr. Young said, "has been resolved by assurances from the local board, the city Board of Education and the Mayor that teachers will be allowed to return to classroom duties in a healthy educational atmosphere."

Shanker replied to the attack by pointing out that "instead of condemning racists and anti-semitic acts—which have been acknowledged by the Mayor and the Board of Education—Mr. Young chooses to excuse these acts with the vile smear that 'Mr. Shanker created the issue of racism and anti-semitism.'"

"It is also interesting to note that Mr. Young believed that the firing of 19 educators and the refusal of the Ocean Hill-Brownsville governing board to reinstate them does not involve a serious issue of due process. It is unfortunate that Mr. Young does not believe that teachers, too, should enjoy civil rights," Shanker added.

"His extreme partisanship, his failure to denounce racism and anti-semitism, his refusal to denounce violence will do much to impair his effectiveness as a civil rights leader and will lend encouragement to backlash forces in the white community."

In related developments, State Senate Majority Leader Earl W. Brydges voiced doubt that Governor Rockefeller would call a special session to deal with the crisis.

Albany reporters attribute to "knowledgable" state and city officials the belief that Governor Rockefeller's chief reason for hinting earlier this week that a special session would be held was to throw a scare into parties in the dispute—all of whom run the risk of setback at a special session.

The union could be faced with a stiffening of the penalties of the Taylor Law, the Board of Education could be replaced and the entire decentralization plan scrapped. These measures have been discussed as distinct possibilities.

Today was the first payless payday for 56,000 striking teachers, school secretaries, supervisors and custodians. The last full pay check was handed out October 16, with the announcement that there would be deductions in future pay checks for all time not worked. Because of the lag in exacting penalties, the public had been given the erroneous impression that strikers were being paid while out on the picketline. The delay is due to the fact that it takes four to five weeks to feed salary data in to the Board of Education's computer setup. This also affects employees who moved up the incre-

ment or salary ladder or who are promoted. They have to wait months before they see the increase in their pay checks.

At his press conference, Shanker also clarified the union's position on the question of a city-wide referendum on the issues in the dispute. Reports attributed to Shanker and circulated yesterday were to the effect that the UFT was seeking such a referendum.

The question of a referendum arose during an interview in which a newsman cited reports that the public was turning against the union. Shanker had denied this and added:

"If anyone wishes to test where the people stand on the issues, we are willing to go to a city-wide referendum and abide by the results."

SATURDAY, NOVEMBER 2—Behind the scene talks occupied most of the time of the chief protagonists involved in the dispute today. State Education Commissioner James E. Allen, Jr. was meeting privately, trying to put together a package acceptable to all sides in the controversy.

Apparently, Commissioner Allen's plan was based upon his idea for a State "trusteeship" over the Ocean Hill-Brownsville demonstration district, a proposal that had been rejected by the union on Tuesday.

JHS Vice President John O'Neill held a press conference at which he called for the ouster of UFT Pres. Albert Shanker by the Executive Council of the American Federation of Teachers, the parent body of UFT.

Mr. O'Neill, who still holds his officer position although he does not draw salary from the UFT, maintained that Pres. Shanker had been in violation of the AFT constitution and was "guilty of racial demagoguery."

Dan Sanders, UFT public relations director, charged that Mr. O'Neill was a "sore loser who has lost all credibility in the eyes of the UFT members."

SUNDAY, NOVEMBER 3rd — UFT President Al Shanker said on "Newsmakers", a noon WCBS-TV program, that he would urge a special session of the New York State legislature if the school crisis were not settled by election day. Mayor Lindsay announced later, on his weekly Sunday evening program, that he was calling all the parties to meet at Gracie Mansion the next morning at 11:00 a.m. In his TV appearance, Mr. Shanker had said that if the Mayor, the State Commissioner, and the Board of Education could come up with "one single unified proposal, to provide for compliance—a proposition containing the strongest proposals of all of them. I am convinced that if they did that I could take it back to the membership."

Those who were invited to attend the Gracie Mansion meeting included Albert Shanker, Joseph W. McGovern, Chancellor of the State Board of Regents; Dr. James E. Allen, Jr., the State Education Commissioner, John A. Doar, President of the Board of Education, and Dr. Bernard E. Donovan, Superintendent of Schools.

In making his statement regarding the possible legislative session, Mr. Shanker said, "We are not calling for

a special session to defeat decentralization . . . there's no reason why a special session should do that." He said that a special session should only "restructure" the district so that teachers could return "with relative assurance that they're not going to be threatened anymore."

Governor Rockefeller said later the same day that both Dr. Allen and Mayor Lindsay had asked him not to call a special session. Senate Majority Leader Earl W. Brydges said that if such a session were called it "would be the end of decentralization for the reasonably foreseeable future."

In his remarks on the "Newsmakers" program, Mr. Shanker, in response to a question on the use of terminology such as "mob rule" and "vigilantes," said: "We have a peculiar situation when the words describing a particular fact are reinterpreted to mean something else. When 200 people stand in front of a school and block its doorway it is a mob."

On an earlier program at 11:00, John O'Neill, UFT Vice President for Junior High School, repeated an announcement he had made on Saturday, calling on the Executive Council of the American Federation of Teachers to remove Mr. Shanker from his position as President of the United Federation of Teachers. Appearing on "Searchlight," Mr. O'Neill was interviewed by Milton Bergerman of the Citizens Union; Leonard Buder, Education reporter for the *New York Times*; and Gabe Pressman of NBC-TV.

Vice President O'Neill said, in part: "I think there are thousands of teachers who are against this strike . . . the strike should not have taken place. It is irrational, and irrelevant and is doing irreparable damage to the children of New York." When asked by Mr. Bergerman why he was not teaching if he was opposed to the strike Mr. O'Neill replied that he was abiding by the democratic decision of the Union and that "I don't want to get involved with strike-breaking." He called for a rally of teachers opposing the UFT at the Union headquarters at 4:00 p.m. Tuesday, and predicted "thousands" would come.

Mr. O'Neill admitted that there had been harassment of teachers in Ocean Hill-Brownsville but said that he had never personally heard any threats. He said that the "entire issue of due process is rather cloudy" and that you "have to view it in the context of the situation out there." He blamed the Board of Education for not having defined the powers of local boards more clearly and predicted "five or ten years of chaos in the public school system."

The UFT Vice President said that reports quoting him as having called President Shanker "a racist" were correct. He said that Mr. Shanker had "misled" the teachers and that the whole dispute could have been solved in May. When asked what his own solution to the crisis would be, Mr. O'Neill replied, "patience and understanding." He also accused the UFT of spreading "vicious" literature around the city.

When UFT President Shanker appeared on his later "Newsmakers" program, he said that he was surprised that Mr. O'Neill didn't want the Union to report on what was being said in the district. He also said, "When the rights of people are denied—North or South, black or white, the same principle is involved."



District Leaders and Co-Leaders from districts 21-30, (front row, l. to r.): Sol Levine, #24; Eli Jacobson, #26; Irving Heller, #28; Sylvia Mendlow, #24; Vinicio Donato, #23; Irving Morris, #24; (rear row, l. to r.): Leo Hoenig, #25; Peter Goodman, #22; Mike Becker, BCG; Thomas Pappas, #27; Maurice Sussman, #21; Henry Schoenberg, 600 Schools; Joseph Shannon, #30; and John Trainor, #29.