

Editorial

April 14, 2010

Two city legislators have emerged as profiles in courage in [Albany](#). [Manhattan Assemblyman Jonathan Bing](#) and [Bronx Sen. Ruben Diaz](#) have introduced revolutionary bills that would elevate the interests of [New York](#) schoolchildren over the hidebound, destructive contract rights of teachers.

The state's historic budget crisis is driving the [Department of Education](#) toward laying off more than 5,000 teachers. If that were to happen under the current rules, disaster would follow. That's because the teachers' contract stipulates that layoffs must be done based strictly on seniority. A veteran teacher cut from one school can claim the job of a junior person in another school - regardless of who is the more effective instructor.

Teachers would be bumped from one school to the next until the last ones hired were dumped. This is a recipe for disruptions that would strike at the heart of every principal's attempt to tailor the best staff for his or her school.

Bing, who represents the upper East Side, and Diaz, who represents the [South Bronx](#), foresee nightmares because the schools in their districts, one at the top of the income ladder, the other at the bottom, hired large numbers of teachers in recent years. Roughly 20% of their instructors could be pushed out of jobs and replaced.

The two lawmakers have a far better idea that would benefit schools citywide. Their bill would end seniority as the sole factor in layoffs. Instead, principals would decide in consultation with panels of teachers, administrators and parents.

Factors would include effectiveness in the classroom, subject area and contributions to the school, as well as length of service. Who better than parents and fellow teachers knows which teachers raise achievement the most and which the least?

To soften the blow of dismissals, tenured faculty who have not been subject to severe disciplinary measures and junior teachers with satisfactory performance ratings would be kept on the payroll for a year. If they couldn't find another job in a city school after that time, they would be gone.

In many ways, the bill is in line with the proposed contract negotiated by [American Federation of Teachers President Randi Weingarten](#) for [Washington's](#) schools. That pact would free principals from following strict seniority in layoffs.

Undoing a time-honored union job protection will be an exceedingly heavy lift. Already, a spokesman for Weingarten's successor in New York, [United Federation of Teachers President Michael Mulgrew](#), declared the legislation dead on arrival. Mulgrew will be pulling out all the stops in Albany to make sure it stays that way.

Given Mulgrew's political muscle, Bing and Diaz have stepped up big-time for parents and students. Will their colleagues have the guts to join the battle? They must.