

2005 Representative Assembly RESOLUTIONS DUE TO EXPIRE

The following resolutions, due to expire at the end of the 2005 Representative Assembly, have been resubmitted by locals. Under a new procedure approved by the NYSUT Executive Committee in February, expiring resolutions are being grouped at the end of the appropriate committee section. They were also printed in the March 3 edition of "The New York Teacher" with their titles and without their full text. What follows are the expiring resolutions in their entirety. They will also be published in their entirety in the "Proposed Resolutions" booklet to be included in delegates' kits.

Given that these resolutions have been NYSUT policy for four years, and assuming no objections from the RA, they will be presented for action as a group within the appropriate RA resolutions committee. Individual resolutions may be singled out in committee for further debate, if desired. Additionally, new resolutions whose resolves do not deviate from the intent of a resubmitted, expiring resolution have been included with the expiring resolutions at the end of each committee section.

Resolutions 46, 75, 107 and 110 erroneously listed as "expired" in previously printed materials have been removed and will be discussed in committee.

CIVIL & HUMAN RIGHTS COMMITTEE

RESOLUTION #4* (Special Order of Business #2)**

Solidarity with Harvard Workers' Living Wage Campaign

Submitted by: Amsterdam TA

Whereas, NYSUT stands for solidarity under the banner of "An Injury to One is An Injury to All;" and

Whereas, students, faculty and staff are pressing Harvard University's administration to adopt a "Living Wage" of \$10.25/hour minimum for all employees, including those employed by sub-contractors, similar to one passed by the Cambridge City Council in 1999; and

Whereas, many of Harvard's staff of janitors, food service workers, groundskeepers and others who maintain the university, now earn less than needed to provide the necessities of life for their families; and

Whereas, Harvard is the nation's wealthiest university with an endowment of nearly \$20 billion; therefore be it

Resolved, that NYSUT lend its strong moral support through this resolution and recommend that Board of Directors allocate an appropriate sum of money in support of the campaign.

COLLEGE & UNIVERSITY COMMITTEE

RESOLUTION #13 (#6)

New York State Funding for Higher Education

Submitted by: PSC/CUNY, Retiree Council 37-38

Whereas, New York State is a major center of the new economy, representing professionals, service, commerce and public sector employees; and

Whereas, New York State is a major magnet for first generation immigrants; and

Whereas, New York State is home to large concentrations of women and minority workers; and

Whereas, City University of New York (CUNY) and State University of New York (SUNY) including the community colleges, are the major educational institutions of New York State that provide the education and skills for the future employees and taxpayers of New York State; and

Whereas, CUNY was once tuition-free, underfunding by New York State makes CUNY senior college tuition 12% higher than the national average for public four-year colleges and CUNY community college tuitions is 83% higher than the national average for two-year colleges; and

Whereas, overall, New York needs to make a bigger effort to fund public higher education as documented by "Measuring Up 2000: The State-by-State Report Card for Higher Education," a report from the National Center for Public Policy and Higher Education; and

Whereas, New York ranks 50th in funding increases in state and local appropriations for higher education between 1990-1999, according to "Measuring Up"; and

Whereas, New York ranks 42nd for dollars per \$1000 of personal income in FY 1999; and

Whereas, New York ranks 33rd in per capita allocation for higher education in FY 1999; and

Whereas, New York's students pay the highest percent of their income "33%" for tuition at the lowest-priced colleges, while the national average is 15%; therefore be it

Resolved, that New York State United Teachers call upon the political leadership of legislative and executive branches of NYS government to dramatically increase appropriations for public higher education so that New York State takes its rightful place among those states which lead in educational expenditures for public institutions of higher education.

RESOLUTION #14 (#4)

Democratic Access to College

Submitted by: PSC/CUNY, Retiree Council 37-38

Whereas, the United Nations International Covenant on Economic, Social and Cultural Rights (entered into force 1/3/76 in accordance with Article 27) mandates that “Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free educations;” and

Whereas, open access to college unites the interests of K-12 and college teachers because it expands the population eligible to participate in the powers and pleasures of education; and

Whereas, the education and life chances of a significant segment of the population – especially people of color and new immigrants – as well as the economic health and vitality of all working people are at risk as social inequality continues to widen in the United States; and

Whereas, this access is being threatened; and

Whereas, maintaining high academic standards emphatically does not mean preventing high school graduates from entering senior colleges because they are in need of certain developmental or remedial courses; therefore be it

Resolved, that the New York State United Teachers strongly supports the right of all high school graduates to have an equal opportunity to obtain a college education at affordable tuition (with progressive introduction of free college education), therefore among other strategies, strongly supports the appropriateness of developmental and remedial courses in all public colleges and universities.

RESOLUTION #15 (#5)

Restoring Access to the City University of New York

Submitted by: PSC/CUNY, Retiree Council 37-38

Whereas, the mission statement presenting at the founding of the City Colleges of New York in 1847 designated its highest role as educating “the children of the whole people”; and

Whereas, the City University of New York has been the national leader in providing access to higher education to a diverse population, even during periods when students were routinely excluded from other colleges on the basis of sex, religion, ethnicity, class, or race; and

Whereas, open access policies at the City University of New York (beginning with the Open Admissions program won in 1969 by faculty-supported, student led direct action), have given hundreds of thousands of working-class students, students of color, women, and recent immigrants their only chance to obtain a first-rate college education; and

Whereas, open access policies at the City University of New York (CUNY) and across the country have suffered political attacks from their inception, constantly rising tuition, the use of single, high-stakes tests as a barrier to admissions, precipitous cuts in public funding, the shrinking by half of the full-time CUNY faculty and staff, and increasing recourse by management to exploited part-time faculty; and

Whereas, the attack on open access has been sharply escalated by the CUNY Board of Trustees' 1999 abolition of developmental or remedial courses at the CUNY senior colleges; therefore be it

Resolved, that the New York State United Teachers strongly supports the restoration of open access and developmental courses at the City University of New York.

EDUCATIONAL ISSUES I COMMITTEE

RESOLUTION #23 (#11)

Reaffirm Support for New York State Teacher Centers and Increased Funding

Submitted by: Albany Public School TA, Babylon TA, Broome-Tioga BOCES, Caledonia-Mumford TA, Canastota TA, Canton CTA, Carmel TA, Cayuga-Onondaga AT, CEWW BOCES UT, Clinton TA, Colton-Pierrepont, Commack TA, Connetquot TA, Copiague TA, Corinth TA, Duanesburg EA, East Chester TA, East Meadow TA, East Quogue TA, Farmingdale FT, Fort Edward TA, Freeport TA, Frontier Central EA, Hadley-Luzerne TA, Hartford FA, Hendrick Hudson EA, Herman-Dekalb TA, Lisbon TA, Madrid-Waddington TA, Mamaroneck TA, Manhasset EA, Marlboro FA, Mechanicville TA, Middletown TA, Mohawk Regional TC, Morristown TA, Newburgh TA, Niagara Falls TA, North Rockland TA, North Syracuse EA, Norwood Norfolk TA, North Adirondack TA, North Babylon TO, Nyack TA, Oneida County BOCES FA, Onondaga-Cortland-Madison BOCES FT, Ossining TA, Owego Apalachin TA, Pelham TA, Pittsford District TA, Plattsburgh TA, Pulaski TA, Putnam EA, Putnam Valley FT, Queensbury Faculty Association, Roslyn TA, SABEA BOCES EA, Saranac TA, Schalmont TA, Shenendehowa TA, South Glens Falls FA, Sullivan County BOCES TA, Syracuse TA, Teachers Association of Lindenhurst, Tully TA, United Staff Association Putnam/Northern Westchester BOCES, UT of Northport, Valhalla TA, Victor TA, Washington Academy TA, WCFT, Westhampton Beach TA, West Genesee TA, Westmoreland TA, Whitesboro TA, Whitehall TA, White Plains TA, Yonkers Federation of Teachers

Whereas, NYSUT and its national affiliate, the AFT, have long endorsed and worked to promote, design, and implement programs providing participant-led, research-based, ongoing, comprehensive staff development activities for teachers and school related personnel; and

Whereas, NYSUT has continually and unceasingly fought for the maintenance and growth of New York State's unique and highly successful network of Teacher Resource and Computer Training Centers (Teacher Centers); and

Whereas, maintaining a professional license to teach in the State of New York requires that new teachers pursue 175 hours of professional development every five years,

Whereas, the recent state mandate requiring a mentored experience for all new teachers requires a high level of professional development made available to all mentor teachers and their mentees,

Whereas, Federal legislation, the No Child Left Behind Act, requires highly qualified teachers in every public school classroom,

Whereas, new student testing in grades 3-8 ELA, and math begins in the next school year, requiring intensive teacher preparation,

Whereas, annual science testing at grades 3-5, 6-9, 10-12 will begin in 2007 requiring further intensive teacher preparation,

Whereas, the demands on public schools to make adequate yearly progress towards 100% proficiency for all students tested by 2013-14 will rely heavily on effective, high quality professional development in the years to come,

Whereas, in New York State, Teacher Centers are a primary vehicle for the cost effective delivery of voluntary, research-validated staff development activities; and

Resolved, that NYSUT continue and reaffirm its long-standing and successful advocacy of Teacher Centers by using whatever means (including by not limited to legislative activity) to attain the goal of maintaining and furthering the Teacher Center program in our state; therefore be it

Resolved, that NYSUT continue to seek increased funding for New York State Teacher Centers.

RESOLUTION #24 (#11)

Reaffirm Support for New York State Teacher Centers and Increased Funding

Submitted by: Amsterdam TA, Nassau BOCES Central Council of Teachers

Whereas, NYSUT and its national affiliate, the AFT, have long endorsed and worked to promote, design, and implement programs providing participant-led, research-based, ongoing, comprehensive staff development activities for teachers and school related personnel; and

Whereas, NYSUT has continually and unceasingly fought for the maintenance and growth of New York State's unique and highly successful network of Teacher Resource and Computer Training Centers (Teacher Centers); and

Whereas, various funding crises and taxation dilemmas erode opportunities for providing ongoing staff development activities aimed at raising standards for learning and teaching in New York State; and

Whereas, in New York State, Teacher Centers are a primary vehicle for the cost effective delivery of voluntary, research-validated staff development activities; therefore be it

Resolved, that NYSUT continue and reaffirm its long-standing and successful advocacy of Teacher Centers by using whatever means (including by not limited to legislative activity) to attain the goal of maintaining and furthering the Teacher Center program in our state; and be it further

Resolved, that NYSUT continue to seek increased funding for New York State Teacher Centers.

RESOLUTION #25 (#16)

State Testing of Learning Disabled Students

*Submitted by: Amsterdam TA, Rockland BOCES SA, United Staff Association
Putnam/Northern Westchester BOCES*

Whereas, many special education students are learning disabled and therefore have special needs; and

Whereas, because of a learning disability or multiple disabilities, many special needs students are reading and writing two or more years below grade level; and

Whereas, testing learning disabled students on a reading and writing level that is higher than their current independent level causes frustration, assured failure and the loss of valuable instructional time; and

Whereas, though testing modifications assist the learning disabled, they do not make up for the discrepancy between current independent reading levels and test reading levels; and

Whereas, measurement techniques exist which give more useful results to teachers, districts and the State Education Department; therefore be it

Resolved, that NYSUT take a leadership role in urging the Board of Regents and the State Education Department to rethink the current regulation requiring all learning disabled students to participate in the state assessment program regardless of their independent reading and writing levels.

RESOLUTION #26 (#22)

Funding Special Education Mandates

Submitted by: Amsterdam TA, Nassau BOCES Central Council of Teachers

Whereas, Congress has again failed to fairly fund federal law requiring “least restrictive environment” for students with special needs; and

Whereas, mandated special education federal mandates now cost state and local districts over \$60 billion annually, and the federal share remains at approximately 5% of such mandated costs; and

Whereas, the traditional excuse of a huge federal deficit is no longer valid; and

Whereas, students with special needs are no required to meet higher standards for graduation and be given Academic Intervention Services; and

Whereas, state and local tax resources are insufficient to fully meet the needs of students with special needs covered by the Federal Disability Act; and

Whereas, failure to fund even 50% of the cost of this federal mandate represents a betrayal of students with special needs and, in effect, denies them their full civil rights; and

Whereas, the NYS School Board Association has launched a million-signature petition effort to get 50/50 funding for this federal mandate; therefore be it

Resolved, that NYSUT work with the School Boards and PTA groups to jointly lobby Congress for improved funding for federal special education mandates; and be it further

Resolved, that NYSUT urge our national affiliates, AFT and the AFL-CIO, to make 50/50 funding of federal special education mandates a legislative priority for the year 2001; and be it further

Resolved, that NYSUT urge AFT to review the legal issues involved to see if court action to mandate fair funding is a feasible route.

RESOLUTION #27 (#21)

Elimination of Education Law 4402 Allowing Increased Special Class Size

Submitted by: Amsterdam TA, Herkimer FA

Whereas, the Board of Regents and the State Education Department have established higher learning standards and assessment requirements for all students including those with disabilities; and

Whereas, section 4402 of Education Law authorizes school districts to increase special class size limits by 20% in classes for middle and secondary school students upon written notice to the commissioner and parental notification; and

Whereas, students with disabilities placed in special classes based on their educational needs and in accordance with Part 200 of the Regulations, must have appropriate access to the general education curriculum in such classes; and

Whereas, Education Law 4402 places in jeopardy teachers' ability to successfully bring students with disabilities to higher levels of learning consistent with the learning standards due to larger special class sizes (which include a wider range of diverse learning needs); and

Whereas, a recent survey of NYSUT's local presidents indicates that a large percentage of school districts are not complying with the statutory special class waiver requirements. Local leaders report that school districts are increasing middle and secondary special class sizes prior to the start of school in September, without notification to the State Education Department and without parental notification; and

Whereas, last year the New York Legislature amended Education Law prohibiting New York City from increasing special class size by 20%; therefore be it

Resolved, that NYSUT seek legislation that would repeal Section 4402(6) of Education Law thus extending to all New York State school districts the provision currently affecting New York City.

RESOLUTION #28 (#23)

State Funding for Proven Literacy Program

Submitted by: Amsterdam TA

Whereas, almost two decades of experience has confirmed the value of proven literacy programs as an early literacy intervention; and

Whereas, NYSUT has traditionally supported this highly effective program; and

Whereas, the self-extending nature of this successful program guarantees benefits in later grades where students are facing demanding curricula and high stakes language arts tests; and

Whereas, many districts lack the local funds to continue and expand successful proven literacy programs; therefore be it

Resolved, that NYSUT continue to lobby for proven literacy programs such as Reading Recovery, Success for All, and Direct Instruction.

RESOLUTION #29 (#20)

Academic Intervention Services

Submitted by: Amsterdam TA

Whereas, Academic Intervention Services are now being mandated for all students who fail to meet state requirements; and

Whereas, large numbers of students are being identified across the state in need of these services; and

Whereas, Academic Intervention Services, when delivered by trained certified personnel, have proven to be very effective; and

Whereas, some local districts are refusing or are unable to fund Academic Intervention Services adequately; therefore be it

Resolved, that NYSUT, in its ongoing and successful efforts to increase State Aid, seek a mechanism for additional funding to be dedicated for Academic Intervention Services.

EDUCATIONAL ISSUES II COMMITTEE

RESOLUTION #39 (#15)

High Pressure Elementary Testing

Submitted by: Amsterdam TA

Whereas, 4th grade students may not be mentally or emotionally ready for the extraordinary pressures caused by the multiple state testing now mandated for that grade; and

Whereas, too many tests are now given in a short timeframe causing extensive test anxiety and promoting teaching to the test methodologies; and

Whereas, sufficient time has passed to allow evaluations of these 4th grade tests; therefore be it

Resolved, that NYSUT urge the Commissioner to review the timetable of testing in the 4th grade; and be it further

Resolved, that NYSUT lobby the State Education Department for a more humane and academically sound testing schedule that would take the intense pressure off 4th grade students.

RESOLUTION #40 (#17)

Early Literacy Testing Mandates

Submitted by: Amsterdam TA

Whereas, the State Education Department and the Commissioner are now requiring all elementary teachers to conduct early literacy testing and profiling; and

Whereas, this testing is a good device to establish student strengths and weaknesses; and

Whereas, the workload of elementary teachers is too intense to allow adequate time for valid early literacy testing; therefore be it

Resolved, that NYSUT lobby the Commissioner and SED to mandate release time and provide substitute funding so that this worthwhile testing/profile can be done in a manner to benefit all students.

RESOLUTION #41 (#10)

Teacher Recruitment and Retention

Submitted by: Amsterdam TA

Delegates to the 2000 Representative Assembly of New York State United Teachers endorsed a comprehensive strategy to assure that the state will have the resource most essential to assuring that schools and students can meet the challenge of higher standards — the best possible teachers.

Progress has been made. Elements of the 2000 resolution have been implemented. The 2000-01 state budget included funds to launch the “Teachers of Tomorrow” program that enables districts to offer recruitment and retention incentives, particularly in hard-to-staff schools and subjects. The budget also included funding for the Albert Shanker National Board Certification Program and increased support for Teacher Centers. It resumed state funding for Mentor-Teacher Internships. It also initiated a program to enhance teacher salaries in special act schools and private special education programs.

In addition to successful advocacy at the state level, NYSUT and its local affiliates have dedicated their own efforts to address the need. They have negotiated appropriate and innovative collective bargaining agreements, including, for example, provisions for local mentoring programs and local rewards for the attainment of National Board Certification. NYSUT and its

affiliates also operate programs to support new teachers as they embark on their careers. NYSUT has also initiated programs to encourage and assist teachers in pursuing national certification.

But much more needs to be done. The state faces the prospect of preparing and enlisting 100,000 or more new teachers over the next five to seven years. It is by no means assured that our schools will secure the best possible candidates to fill those positions, nor be able to support them adequately to assure their success in the classroom. Salaries in New York City and other high need districts are not competitive. The availability of mentoring programs falls far short of the scale that is even now required, despite clear evidence of their value in improving classroom performance and in promoting greater retention of beginning teachers. Other opportunities for professional development are insufficient in number and often in quality as well. New York's teaching workforce does not now reflect the diversity of the student population it serves and that population will grow increasingly diverse in the years to come. Finally, teachers and students in too many schools labor without the resources needed to make success seem a plausible possibility; therefore be it further

Resolved, that the 2001 Representative Assembly of New York State United Teachers reaffirms its support of the principles of the 2000 RA Resolution entitled, "Solving the Teacher Shortage: The New 3R's – Recruitment, Retention and Retirements;" and be it further

Resolved, that NYSUT will continue to advocate for state support for recruitment and retention incentives; for preservation of Teacher Support Aid; for other initiatives to improve teacher salaries, particularly in high need districts; and for professional development programs, including Teacher Centers and the Albert Shanker National Board Certification Grants; and be it further

Resolved, that NYSUT will also advocate:

- for significant expansion of funding for Mentor-Teacher Internships with the aim of assuring that all incoming teachers have well-structured support from a veteran colleague, in order to improve their effectiveness in the classroom and encourage their continuation in the profession;
- for state funding for salary enhancements to reward teachers who attain National Board Certification;
- for pension reforms to encourage experienced teachers to remain in active service and to induce retired teachers to return to the classroom;
- for initiatives to bring about a teaching workforce that is more reflective of the diversity of the student population it serves, including, for example, expansion of the Teacher Opportunity Corps program;
- for expansion of the Teachers of Tomorrow program to include support for teacher aides, teaching assistants, and other school related personnel who wish to pursue teacher certification, to further expand the supply of teachers and as a measure to further enhance the diversity of the teaching workforce;
- for other resources that must be available if we are to put success in attaining higher standards within reach for all students and teachers; and be it further

Resolved, that NYSUT will continue or undertake efforts to encourage and assist its affiliates in initiating local support for mentoring programs, for National Board Certification, and for effective professional development. NYSUT will also evaluate the possibility of initiating its own campaign to attract persons from under-represented minority backgrounds to the teaching profession; and be it further

Resolved, that NYSUT will work to improve beginning teacher salaries, particularly in school districts where salaries are not now competitive. As always, NYSUT will seek to ensure that all teachers have salaries, benefits, and working conditions commensurate with the role they exercise in securing the future well being of the state and its people.

RESOLUTION #42 (#41)

Recruiting and Retaining Teachers

Submitted by: Amsterdam TA

Whereas, all notable educational researchers have concluded that a well-trained, highly motivated teacher is absolutely central to the success of students in the era of high stakes testing and new higher state and national standards; and

Whereas, there is now widespread recognition of a critical shortage of teachers in most subjects and in all areas of the state, including urban, suburban and rural districts; and

Whereas, inequity and lack of local resources often discriminates against poorer districts seeking to attract and retain excellent teachers; and

Whereas, the Governor and Legislature have already recognized the need for recruitment and retention programs through their support for such programs as “Teachers of Tomorrow” and “Teacher Support Aid”; therefore be it

Whereas, that NYSUT continue its successful lobbying efforts on behalf of such programs so that they can be expanded and improved to help all poorer districts recruit and retain the “best and the brightest” professionals to help our students compete in the global economy; and be it further

Resolved, that NYSUT consider urging the Legislature to increase the minimum starting salary for all teachers, and that such salary be supported with the revival of the Excellence in Teaching Program which NYSUT helped succeed in the 1980’s.

RESOLUTION #43 (#19)

Elementary and Middle School Final Attendance Week

Submitted by: Camden TA

Whereas, elementary and middle school teachers have an increasing number of year-end student evaluating tasks; therefore be it

Resolved, that NYSUT continue its efforts to amend the attendance requirements for elementary and middle school students to require only half-day attendance during the last five days of the school year.

RESOLUTION #44 (#14)

SRP’s Student Teaching Waiver

Submitted by: Amsterdam TA

Whereas, presently, school-related professionals attending college and seeking a teacher license are required to meet the student teaching requirements; and

Whereas, presently they must take leaves without pay to meet the requirement, creating a financial hardship; therefore be it

Resolved, that NYSUT seek legislation that would enable them to be given credit for time served in another school-related title towards their student teaching requirements.

RESOLUTION #45 (#22)

Funding Federal Special Education Mandates

Submitted by: Nassau BOCES Central Council of Teachers

Whereas, Congress has again failed to fairly fund federal law requiring “least restrictive environment” for students with special needs; and

Whereas, mandated special education federal mandates now cost state and local districts over \$60 billion annually, and the federal share remains at approximately 5% of such mandated costs; and

Whereas, the traditional excuse of a huge federal deficit is no longer valid; and

Whereas, students with special needs are now required to meet higher standards for graduation and be given Academic Intervention Services; and

Whereas, state and local tax resources are insufficient to fully meet the needs of students with special needs covered by the Federal Disability Act; and

Whereas, failure to fund even 50% of the cost of this federal mandate represents a betrayal of students with special needs and, in effect, denies them their full civil rights; and

Whereas, the NYS School Board Association has launched a million-signature petition effort to get 50/50 funding for this federal mandate; therefore be it

Resolved, that NYSUT work with the School Boards and PTA groups to jointly lobby Congress for improved funding for federal special education mandates; and be it further

Resolved, that NYSUT urge our national affiliates, AFT and the AFL-CIO, to make 50/50 funding of federal special education mandates a legislative priority for the year 2001; and be it further

Resolved, that NYSUT urge AFT to review the legal issues involved to see if court action to mandate fair funding is a feasible route.

HEALTH CARE & WORKPLACE SAFETY

RESOLUTION #51 (#45)

Ergonomics

Submitted by: Amsterdam TA, Herkimer FA, Nassau BOCES Central Council of Teachers, PSC/CUNY, Retiree Councils 37-38

Whereas, injuries/illnesses due to poor work design and organization are endemic in the United States; and

Whereas, these injuries can be permanently disabling if workplaces are not changed; and

Whereas, a NYSUT survey showed that over 40 percent of surveyed SRP, BOCES and Special Education Teacher members experience ergonomic-related injuries/illnesses; and

Whereas, the Federal OSHA ergonomics standard was repealed by Congress in 2001; and

Whereas, tens of thousands of public employees in New York are suffering from these injuries/illnesses; and

Whereas, the New York Public Employee Safety and Health Act provides that the Hazard Abatement Board can promulgate standard, therefore be it

Resolved, the NYSUT continue to lobby strongly on the federal level for an enforceable OSHA standard; that NYSUT work with other public employee unions in New York to insure an ergonomic standard is adopted by the New York State Hazard Abatement Board and promulgated by the Department of Labor; and that NYSUT continues its efforts to evaluate the extent of ergonomic hazards among its members and develop strategies to reduce/eliminate those hazards.

RESOLUTION #52 (#44)

Healthy Schools

Submitted by: Amsterdam TA, Herkimer FA, Nassau BOCES Central Council of Teachers, PSC/CUNY, Retiree Councils 37-38

Whereas, poor environmental conditions, which include indoor air quality, are the cause of the majority of OSHA's complaints from NYSUT members; and

Whereas, the health impact of poor environmental conditions create illnesses, absenteeism and increased health care costs for NYSUT school district members and school students; and

Whereas, a healthy school environment is an important component of successful learning; therefore be it

Resolved, that NYSUT actively support legislative and regulatory proposals that serve to improve school environmental conditions in public and private schools and universities at the state and national levels, and direct its legislative department to work toward this end and that, in addition, copies of this resolution be sent to members of the legislature and to the New York State AFL-CIO.

RESOLUTION #53 (#43)

Air Quality in Our Schools

Submitted by: Amsterdam TA, Herkimer FA, PSC/CUNY, Retiree Councils 37-38

Whereas, the number of schools that are aged and deteriorating increases, and the number of new schools being built is increasing; and

Whereas, the Arab Oil Embargo of 1973 changed the laws governing the levels of fresh air taken into public buildings, thereby changing the building code; and

Whereas, the buildings of today are more energy efficient, but often limit the amount of fresh air; and

Whereas, the use of numerous man-made building products that may off-gas also compromise the quality of indoor air; and

Whereas, more students today suffer from asthma and allergies that would only be heightened by poor indoor air quality; therefore be it

Resolved, that the New York State United Teachers advocate that any new construction and renovation plans approved by the State Education Department of New York affecting pre-K through Higher Education first meet the standards of American Society of Heating, Refrigeration and Air-conditioning Engineers (ASHRAE), as well as be reviewed by an indoor air-quality specialist prior to the approval and construction.

RESOLUTION #54 (#28)

State and Federal Legislation of Healthcare Staffing

Submitted by: Herkimer FA, PSC/CUNY, Retiree Councils 37-38

Whereas, staffing in many of our hospitals and health facilities has been cut to dangerously low levels; and

Whereas, there is currently no recognized standard for appropriate staffing levels in hospitals and health facilities; and

Whereas, in states where legally mandated hospital staffing levels do exist, they are often arbitrary and inadequate; and

Whereas, most states do not require hospitals and health facilities to collect information of staffing levels, therefore making it impossible to demonstrate the relationship between low staffing levels and negative patient outcomes; therefore be it

Resolved, and reaffirmed, that NYSUT continue to urge AFT to advocate each state to pass legislation that would mandate the collection and public disclosure of information required to evaluate the relationship between staffing and patient outcomes; and further be it

Resolved, and reaffirmed that NYSUT would urge AFT to press that reasonable and appropriate mandatory staffing levels for hospitals and other health care facilities should be established in each state to ensure patient safety and adequate quality of patient care.

RESOLUTION #55 (#46)

Increase of Funding for Occupational Safety and Health Training Program

Submitted by: Amsterdam TA

WHEREAS, the New York State Department of Labor Hazard Abatement Board administers a program through which grants are awarded to unions, employers, universities and not-for-profit organizations to provide training designed to prevent occupational injuries and illnesses; and

WHEREAS, the New York State Hazard Abatement Board Occupational Safety and Health Training Grant Program has provided safety and health training for tens of thousands of workers in New York State; and

WHEREAS, the New York State Hazard Abatement Board Occupational Safety and Health Training Grant Program has received national recognition as a model program; and

WHEREAS, the demand for grants through this program has dramatically increased despite the fact that the amount of money allocated by the legislature has not been increased in twelve years; therefore be it

RESOLVED, that NYSUT support an increase of funding for the Occupational Safety and Health Training Grant Program and direct its legislative department to work toward this end and that, in addition, copies of this resolution be sent to members of the legislature and to the New York State AFL-CIO.

RESOLUTION #56 (#30)

Registered Professional Nurse Working in the Capacity of a School Nurse

Submitted by: Herkimer FA

Whereas, the role of the Registered Professional Nurse in the capacity of a school nurse, has expanded beyond the traditional duties of case finding, case management and providing emergency care to students, staff and community; and

Whereas, a Registered Professional Nurse working in the capacity of a school nurse, is often the primary care provider of many school-aged children; and

Whereas, a Registered Professional Nurse working in the capacity of a school nurse, interact with students who present problems dealing with complex mental health issues, drugs, alcohol, eating disorders, suicide, pregnancy and AIDS; and

Whereas, the duties of the Registered Professional Nurse working in the capacity of a school nurse, now include providing care to medically fragile students with conditions that require catheterization, gastrostomy feeding, blood glucose monitoring, mechanical ventilation, suctioning, tracheostomy care; and

Whereas, the number of children with special needs has increased as has total number of students in the general educational population; and

Whereas, a Registered Professional Nurse working in the capacity of a school nurse staffing ratios have not been adjusted to reflect this change; therefore be it

Resolved, and reaffirmed that NYSUT strongly recommend to the State of New York that Registered Professional Nurse working in the capacity of a school nurse be mandated for provision of that care and that there be a Registered Professional Nurse working in the capacity of a school nurse for each building with not less than one Registered Professional Nurse working in the capacity of a school nurse for 750 students in the general population, one Registered Professional Nurse working in the capacity of a school nurse for 250 students in the mainstreamed special education population, on Registered Professional Nurse working in the capacity of a school nurse for 125 severely disabled students and lower ratios depending on the complicated special needs student as recommended by the National Association of School Nurses and the New York Association of School Nurses.

RESOLUTION #57 (#29)

Mandatory Overtime

Submitted by: Herkimer FA

Whereas, hospitals, nursing homes, home care and other health institutions routinely require their staff to work mandatory hours of work; and

Whereas, these additional hours are with little or minimal notice to the health care professionals who do not have the opportunity to coordinate their personal activities of daily living, including picking children up at school or taking them, providing meals to their family, supervising, providing child care time, sleeping, shopping and so on; and

Whereas, professional staff often forego sleep and time away from their institution and are assigned to 16 hours of work two, three, and even four times in a given week; and

Whereas, exhausted, sick staff cannot provide quality patient care; therefore be it

Resolved, and reaffirmed that NYSUT continues lobbying to have penalties to any institution that does not provide adequate staff to perform quality patient care; and be it further

Resolved, and reaffirmed, that NYSUT continues to inform health consumers about institutions and the amount of mandatory overtime they schedule each month; and be it further

Resolved, and reaffirmed, that NYSUT continues to formulate contractual, legislative remedies to safely staff health care; and be it further

Resolved, and reaffirmed, that NYSUT continues to call on state and federal departments of health and other appropriate regulatory bodies, to establish guidelines which prohibit the use of mandatory overtime, as a means of coping with staff shortages in health care facilities.

LEGISLATIVE POLITICAL ACTION I

RESOLUTION #76 (#54)

Enhanced 3014 Protection

Submitted by: Capital Region BOCES FA, Guilderland TA, RCG BOCES Teachers Association, Saratoga Adirondack BOCES EA, Troy TA, United Staff Association Putnam/Northern Westchester BOCES, Washington ATA

Whereas, NYSUT has successfully lobbied for legislation protecting the rights of all certified teachers, teaching assistants and teacher aides involved in the 3014 A and B process; and

Whereas, there are certified and/or licensed personnel who have direct student contact, and who are instrumental in helping students fulfill their educational requirements, and who are members of NYSUT bargaining units, and who have no such protection; and

Whereas, school counselors, school psychologists, and school social workers have been excluded by court decisions; and

Whereas, occupational therapists, certified occupational therapy assistants, physical therapists, and physical therapy assistants are not specifically named in the law; and

Whereas, other certified teaching personnel, including but not limited to teachers of the speech and hearing handicapped and teachers of the visually impaired, are frequently denied protections that they should have under the law; and

Whereas, districts frequently circumvent the rights of all related service personnel by subcontracting with independent contractors; therefore be it

Resolved, that NYSUT continue and intensify lobbying for enhanced 3014 A and B protection for all bargaining unit members.

RESOLUTION #77 (#54)

Enhanced 3014 Protection

Submitted by: Rockland BOCES SA, Sullivan County BOCES TA

Whereas, NYSUT has successfully lobbied for legislation protecting the rights of teachers, teaching assistants and teacher aides involved in the 3014 A and B process; and

Whereas, related service providers, i.e. social workers, physical therapists, occupational therapists, etc., who are members of NYSUT bargaining units have no protection; therefore be it

Resolved, that NYSUT continue and intensify lobbying for enhanced 3014 protection for all bargaining unit members.

RESOLUTION #78 (#32)

Reaffirmation of the Resolution on Workers' Compensation

Submitted by: Herkimer FA, PSC/CUNY, Retiree Councils 37- 38

Whereas, thousands of NYSUT members experience job-related injuries and illnesses every year; and

Whereas, a recent survey shows that many of these members do not exercise their rights by filing workers' compensation claims; and

Whereas, employers, workers' compensation carriers and the compensation system all serve to discourage and frustrate the filing of compensation claims; and

Whereas, workers' compensation is an important financial and health care resource for injured and ill workers; therefore be it

Resolved, that NYSUT actively support legislative and regulatory efforts to improve the workers' compensation system for workers and to fight efforts to improve the workers' compensation system for workers and to fight efforts to diminish benefits, rights and access to workers' compensation, and direct its legislative department to work toward this end and that, in addition, copies of this resolution be sent to members of the legislature and to the New York State AFL-CIO.

RESOLUTION #79 (#39)

Career Ladder for SRP's

Submitted by: Rockland BOCES SA, United Staff Association Putnam/Northern Westchester BOCES

Whereas, there continues to be a teacher shortage throughout the state; and

Whereas, it has been determined that the very best teachers coming into the system are those who come from the ranks of school personnel; therefore be it

Resolved, that NYSUT work closely with locals representing SRPs to develop contractual language that will provide for a Career Ladder Program; and be it further

Resolved, that NYSUT seek legislation that would provide State Funds directly designated for the implementation of a State Career Ladder for all SRPs.

RESOLUTION #80 (#14)

SRP's Student Teaching Waiver

Submitted by: Frontier Central EA

Whereas, presently, school-related professionals attending college and seeking a teacher license are required to meet the student teaching requirements; and

Whereas, presently they must take leaves without pay to meet the requirement, creating a financial hardship; therefore be it

Resolved, that NYSUT seek legislation that would enable them to be given credit for time served in another school-related title towards their student teaching requirements.

RESOLUTION #81 (#40)

Staff Development

Submitted by: Amsterdam TA

Whereas, all school employees are being held to higher standards; and

Whereas, school demographics and technology are facing constant change; and

Whereas, it is essential to include all school employees in training and professional development opportunities; therefore be it

Resolved, that NYSUT seek legislation which provides that all school employees be given job-specific ongoing training with appropriate compensation.

RESOLUTION #82 (#33)

Sales Tax on Laboratory Tests

Submitted by: PSC/CUNY, Retiree Councils 37-38

Whereas, the cost of prescribed laboratory tests has been a deductible item on both Federal and New York State income tax returns; and

Whereas, New York State has been applying a sales tax to the cost of these tests for more than a year; and

Whereas, it is hypocritical for the State to allow a deduction as a medical expense and then to tax the cost of such expense; therefore be it

Resolved, that NYSUT seek legislation to have the tax discontinued forthwith.

RESOLUTION #83 (#48)

Preserving Public Education

Submitted by: Amsterdam TA, PSC/CUNY, Retiree Councils 37-38

Whereas, charter school funding has a seriously debilitating effect on the financial well-being of school districts in which they are located; and

Whereas, citizens across the state have no democratic involvement in decisions to establish charter schools in their school districts; and

Whereas, significant proportions of local public school tax dollars are being transferred out of school districts to fund the profits of national and trans-national educational corporations, therefore be it

Resolved, that NYSUT continue to resist all attempts to privatize public education; and be it further

Resolved, that NYSUT support legislation that would prohibit the establishment of private, for-profit charter schools which undermine the funding of our public schools; and be it further

Resolved, that NYSUT support legislation to make whole districts suffering from financial loss resulting from the re-direction of public education revenues to support charter schools.

RESOLUTION #84 (#50)

City School District Needs

Submitted by: Amsterdam TA

Whereas, there has been a significant change in how school budgets are developed in New York State's smaller cities; and

Whereas, small cities are now required to hold annual budget referenda; and

Whereas, many small cities have not benefited from the economic boom of the Clinton years; and

Whereas, many small cities do not have a strong or growing tax base to provide a stable source of local school funds; and

Whereas, many small cities are burdened with much higher percentages of property which is tax exempt; and

Whereas, most counties with significant sales tax revenue currently do not share these funds with local school districts; and

Whereas, small cities have disproportionately high numbers of children in poverty and with special needs; and

Whereas, such programs as NYSUT-supported "Teachers of Tomorrow" have helped small cities recruit well-trained and certified teachers; and

Whereas, the retention of such competent professionals is difficult when local resources cannot adequately fund state and federal mandates; and

Whereas, all children deserve the opportunity to access a sound basic education for the 21st century; therefore be it

Resolved, that NYSUT urge Governor Pataki and the State Legislature to expand funding for programs that help urban communities recruit, retain and reward quality teachers; and be it further

Resolved, that NYSUT seek to support legislation to obtain additional state funding dedicated to improving teacher salaries so that all city school districts can compete equitably (on a level playing field) with their suburban counterparts in the recruitment and retention of quality professionals.

LEGISLATIVE POLITICAL ACTION II

RESOLUTION #103 (#24)

Reaffirmation of Prior Resolutions

Submitted by: Albany Public Schools TA, Amsterdam TA, Associated Teachers of Huntington, Babylon TA, Brockport TA, Broome/Tioga BOCES TA, Caledonia-Medford TA, Canandaigua TA, Canton Central TA, Carle Place PA, Carmel TA, Cayuga Onondaga County AT, Commack TA, Copiague Active RT, Dansville TA, East Meadow ART, Elmont Elementary TA, Glen Cove TA & Retired Educators Chapter, Great Neck Retired Educators Chapter, Half Hollow Hills TA, Herricks TA, Locust Valley SEA, Manhasset EA, Marcus Whitman BDA, Marion TA, Mineola TA, Monroe #1 BOCES PE, Monroe #1 BOCES PSP, Nassau BOCES Central Council of Teachers, Newark PA, Newark TA, Niagara Falls TA, North Babylon TO, North Shore Schools FE, North Syracuse EA, Nyack TA, Oneida Co. BOCES TA, Palmyra-Macedon FA, Penfield EA, Phelps-Clifton Springs FA, Pittsford DTA, Plainedge TA, Port Washington TA, Red Jacket FA, Retiree Councils 1, 4, 6, 13, 17, 18, 19, 20, 21, 37, 38, Rochester TA, Rush-Henrietta EA, Saranac TA, South Glens Falls FA, South Huntington TA, Valhalla TA, Victor TA, Webster TA, West Hempstead EA, Williamson FA

Whereas, the April 2000 NYSUT Representative Assembly adopted the following resolutions in either their original or amended form; and

Whereas, the importance of the protection of retirees' benefits is an ongoing and crucial NYSUT concern; therefore be it

Resolved, that NYSUT continue to emphasize its commitment to:

■ **Health Insurance Protection for Retirees**

Resolved, that NYSUT continue to promote and support legislation that would guarantee health insurance coverage for retirees that is at least the equivalent to that provided in-service employees in their respective school districts, but not less than the level of coverage enjoyed by said retirees at the time of their retirement; and be it further

Resolved, that such legislation continues to be given the high priority assigned it by past Representative Assemblies of NYSUT.

■ **Maintaining a Health Insurance Moratorium**

Resolved, that NYSUT pursue legislation to maintain the health insurance moratorium that was established in the 1993-94 legislative session as a way of dealing with the maintenance of retiree health insurance, until such time as those benefits are guaranteed for the life of the retiree.

■ ***National Health Care***

Resolved, that NYSUT support the establishment of a mandatory system of universal health care.

■ ***Safeguarding Pension Funds***

Resolved, that NYSUT continue its efforts to safeguard public employee pension funds for the exclusive use of pension payments.

■ ***Reimbursement of Medicare Part B Premiums***

Resolved, that NYSUT seek legislation to mandate that all school districts which have, by past practice paid health insurance for retirees, continue to reimburse them for Medicare Part B premiums; and be it further

Resolved, that NYSUT explore alternative means of funding to ensure that retirees from those school districts which have not provided such reimbursement will also be compensated for Medicare Part B premiums.

■ ***Health Insurance Protection for All Public Employees***

Resolved, that NYSUT seek to secure legislation that will provide health insurance for all active public employees and retirees.

■ ***Medicare Prescription Drug Coverage***

Resolved, that NYSUT urge the AFT to support the addition of prescription drug coverage to Medicare as an optional benefit.

■ ***Maintenance of Health Insurance Benefits for Retirees***

Resolved, that NYSUT support legislation which will permanently maintain health insurance benefits provided to retirees and their dependents at no less than the level at which those benefits were provided at the time of retirement.

RESOLUTION #104 (#34)

Improving Health Insurance for Retirees

Submitted by: Associated Teachers of Huntington, Bellmore-Merrick United Secondary Teachers, Brockport TA, Canandaigua TA, Carle Place TA, Copiague ART, Dansville TA, East Meadow ART, Elmont Elementary TA, Farmingdale FT, Glen Cove TA & Retired Educators Chapter, Great Neck Retired Educators Chapter, Half Hollow Hills TA, Herricks TA, Levittown UT, Locust Valley SEA, Manhasset EA, Marcus Whitman BDA, Marion TA, Massapequa FT, Mineola TA, Monroe #1BOCES, Nassau BOCES Central Council of Teachers, Newark PA, Newark TA, North Babylon TO, North Shore Schools FE, Palmyra-Macedon FA, Penfield EA, Phelps-Clifton Springs FA, Pittsford DTA, Plainedge FT, Port Washington TA, Red Jacket FA, Retiree Councils 2, 4, 6, 7, 8, 13, 17, 18, 19, 20, 21, 23, 37-38, Rochester TA, Rockland BOCES SA, Rush-Henrietta EA, South Huntington TA, United Staff Association Putnam/Northern Westchester BOCES, Victor TA, Webster TA, West Hempstead EA, Williamson FA

Whereas, wide disparities in health insurance coverage for retirees continue across the state and nation; and

Whereas, NYSUT has fought successfully to prevent unilateral reductions in retiree health coverage; and

Whereas, the number of companies providing pre-65 retiree health coverage continues to decline; and

Whereas, the promise of some kind of rational national health insurance has failed to materialize due to political opposition; and

Whereas, COBRA coverage continues to be a too costly mechanism for many retirees; and

Whereas, almost one million disabled and elderly citizens have recently lost medical and prescription coverage because their HMO's have withdrawn or are threatening to withdraw from Medicare programs; and

Whereas, the costs of prescription drugs continue to rise at a dramatic rate; therefore be it

Resolved, that NYSUT continue its efforts to obtain improvements in health coverage for retirees; and be it further

Resolved, that NYSUT seek to strengthen current legislation so as to guarantee at least parity with in-service coverage; and be it further

Resolved, that NYSUT urge the AFT and AFL-CIO to study the issue of pre-65 retiree health coverage and work for federal programs to offer catastrophic coverage at reasonable costs for all employees in private and public sectors; and be it further

Resolved, that NYSUT Member Benefits continue to explore and offer low cost insurance programs to mitigate effects of poor health insurance coverage for retirees.

RESOLUTION #105 (#34)

Improving Health Insurance for Retirees

Submitted by: PSC/CUNY

Whereas, wide disparities in health insurance coverage for retirees exist across the State and Nation; and

Whereas, NYSUT has fought successfully to prevent unilateral reductions in retiree health coverage; and

Whereas, the number of companies providing pre-65 retiree health coverage is declining; and

Whereas, because of political opposition, a rational national health insurance system has failed to materialize; and

Whereas, COBRA coverage is a too costly mechanism for many retirees; and

Whereas, almost one million disabled and elderly citizens have recently lost medical and prescription coverage because their HMOs have withdrawn from Medicare programs, while other threaten to withdraw; and

Whereas, the costs of prescription drugs is rising at a dramatic rate; therefore be it

Resolved, that NYSUT continue its efforts to obtain improvements in health coverage for retirees; and be it further

Resolved, that NYSUT seek to strengthen current legislation in order to guarantee at least parity with in-service coverage; and be it further

Resolved, that NYSUT urge AFT and AFL-CIO to study the issue of pre-65 retiree health coverage and work for federal programs that offer catastrophic coverage at reasonable costs to all employees in the private and public sectors; and be it further

Resolved, that NYSUT Member Benefits continue to explore and offer low-cost insurance programs for retirees in order to mitigate the effects of poor health insurance coverage.

RESOLUTION #106 (#26)

Medicare Aid for Home Care

Submitted by: Associated Teachers of Huntington, Bellmore-Merrick United Secondary TA, Brockport TA, Canandaigua TA, Carle Place TA, Copiague Active RT, Dansville TA, East Meadow ART, Elmont Elementary TA, Farmingdale FT, Glen Cove TA Retired Educators Chapter, Great Neck Retired Educators Chapter, Half Hollow Hills TA, Herricks TA, Levittown UT, Locust Valley SEA, Manhasset EA, Marcus Whitman BDA, Marion TA, Massapequa FT, Mineola TA, Monroe #1 BOCES, Nassau BOCES Central Council of Teachers, Newark PA, Newark TA, North Babylon TO, North Shore Schools FE, Palmyra-Macedon FA, Penfield EA, Phelps-Clifton Springs FA, Pittsford DTA, Plainedge FT, Port Washington TA, PSC/CUNY, Red Jacket FA, Retiree Council 1, 2, 4, 6, 7, 8, 13, 17, 18, 19, 20, 21, 23, 37, 38, Rochester TA, Rush-Henrietta EA, South Huntington TA, Victor TA, Webster TA, West Hempstead EA, Williamson FA

Whereas, Medicare reimbursement for members receiving treatment on an outpatient basis is typically unavailable for home care services unless they were in the hospital for at least three days; and

Whereas, this requirement was instituted at a time when hospital stays were generally longer and it does not recognize current medical practice in which medical care is often provided on an outpatient basis; and

Whereas, current Medicare policy does not reflect continued need for home care and other rehabilitation services for patients undergoing treatment on an outpatient basis; therefore be it

Resolved, that NYSUT urge the AFT and the AFL-CIO to seek legislation to remove the three-day hospital stay requirement for Medicare reimbursement for services such as home health care and other rehabilitation services for patients who undergo treatment on an outpatient basis when such services are prescribed by a physician.

RESOLUTION #108 (Special Order of Business #1)

Motion Against Privatization of Social Security

Submitted by: Amsterdam TA, Associated Teachers of Huntington, Bellmore-Merrick United Secondary Teachers, Brockport TA, Canandaigua TA, Carle Place TA, Copiague Active RT, Dansville TA, East Meadow ART, Elmont Elementary TA, Glen Cove TA Retired Educators Chapter, Great Neck Retired Educators Chapter, Half Hollow Hills TA, Herricks TA, Levittown UT, Locust Valley SEA, Manhasset EA, Marcus Whitman BDA, Marion TA, Massapequa FT, Mineola TA, Monroe #1 BOCES, Newark PA, Newark TA, North Babylon TO, North Shore Schools FE, Palmyra-Macedon FA, Penfield EA, Phelps-Clifton Springs FA, Pittsford DTA, Plainedge FT, Port Washington TA, PSC/CUNY, Red Jacket FA, Retiree Councils 1, 2, 4, 6, 7, 8, 13, 17, 18, 19, 20, 21, 23, 37, 38, Rochester TA, Rush-Henrietta EA, South Huntington TA, Victor TA, Webster TA, West Hempstead EA, Williamson FA

Whereas, there has been a push for privatization of Social Security in the form of individual private investment accounts; and

Whereas, private individual accounts in Social Security place in jeopardy the guaranteed benefits promised and received by those covered by the Social Security system; and

Whereas, individual private accounts place their retirement income at the mercy of the fluctuations in the stock market; and

Whereas, Social Security provides its payout in the form of a real valued annuity, a payment that continues for the life of the worker and surviving spouse and is increased as inflation grows, and

Whereas, Social Security provides in addition to retirement benefits, survivors and disability benefits, which would be dramatically reduced if individual private accounts were set up, and would not last as people get older, and

Whereas, the costs related to the administration of private investment accounts would consume a huge amount of money that would only benefit Wall Street financial institutions as opposed to the ordinary citizen; and

Whereas, diverting money from the current Social Security system into private accounts would create an enormous financial burden for the system; therefore be it

Resolved, that NYSUT go on record in opposition to the establishment of individual private accounts within the Social Security system; and be it further

Resolved, that NYSUT work with the AFT, AFL-CIO and other organizations in a concerted campaign to protect Social Security as we know it; Social Security has served as one of the best social and economic programs ever devised and implemented by the American Government, and nothing should be done to jeopardize it.

RESOLUTION #109 (#37)

Protection from Genetic Discrimination

Submitted by: PSC/CUNY, Retiree Council 37-38, Sayville TA

Whereas, scientists have made a great advance by completing a map of the human genome, and while this accomplishment can provide a road map that can aid in the early detection, prevention and treatment of disease, such information, used in the wrong way, could lead to discrimination by employers who might wish to avoid hiring individuals who are genetically predisposed to a variety of conditions; and

Whereas, this information could also be misused by benefits providers to avoid providing insurance or other benefits to individuals whose genetic information might deem them as less desirable to the providers; and

Whereas, NYSUT has a long, proud history of maintaining vigilance against unfair discrimination; therefore be it

Resolved, that NYSUT will include in its legislative package a bill that prohibits employers from requiring genetic testing or using genetic information as a condition of employment or promotion, and prohibits benefits providers from requiring genetic testing or from using genetic information as a basis of coverage, benefits of premiums.

PENSION AND RETIREMENT

RESOLUTION #127 (#69)

COLA Improvements

Submitted by: Associated Teachers of Huntington, Bellmore-Merrick United Secondary Teachers, Brockport TA, Canandaigua TA, Carle Place TA, Copiague Active RT, Dansville TA, East Meadow RT, Elmont Elementary TA, Farmingdale FT, Glen Cove TA Retired Educators Chapter, Great Neck Retired Educators Chapter, Half Hollow Hills TA, Herricks TA, Levittown UT, Locust Valley SEA, Manhasset EA, Marcus Whitney BDA, Marion TA, Massapequa FT, Mineola TA, Monroe #1 BOCES PSP, Newark PA, Newark TA, North Babylon TO, North Shore School FE, Palmyra-Macedon FA, Penfield EA, Phelps-Clifton Springs FA, Pittsford DTA, Plainedge FT, Port Washington TA, Red Jacket FA, Retiree Councils 1, 2, 4, 6, 7, 8, 13, 17, 18, 19, 20, 21, 23, 37, 38, Rochester TA, Rush-Henrietta EA, South Huntington TA, Victor TA, Webster TA, Westbury RTA, West Hempstead EA, Williamson FA

Whereas, NYSUT has successfully achieved the enactment of permanent COLA legislation; and

Whereas, this is a significant first step in rectifying the long term loss of purchasing power for our retirees; and

Whereas, despite these long sought after improvements having been achieved, more needs to be done to protect the financial security of retired public employees; therefore be it

Resolved, that NYSUT seek to increase the maximum base used to calculate the COLA benefit; and be it further

Resolved, that NYSUT seek to increase the percentage of CPI utilized to calculate the annual COLA increase; and be it further

Resolved, that NYSUT seek legislation to provide all retirees with an improved minimum pension; and be it further

Resolved, that NYSUT seek legislation to provide COLA benefits after a shorter waiting period.

RESOLUTION #128 (#69)

COLA Improvements

Submitted by: Nassau BOCES Central Council of Teachers

Whereas, NYSUT has successfully achieved the enactment of permanent COLA legislation; and

Whereas, this is a significant first step in rectifying the long term loss of purchasing power for our retirees; and

Whereas, despite these long sought after improvements having been achieved, more needs to be done to protect the financial security of retired public employees; therefore be it

Resolved, that NYSUT seek to increase the maximum base used to calculate the COLA benefit; and be it further

Resolved, that NYSUT seek to increase the percentage of CPI utilized to calculate the annual COLA increase; and be it further

Resolved, that NYSUT seek legislation to provide all retirees with an improved minimum pension; and be it further

Resolved, that NYSUT seek legislation to provide COLA benefits after earlier retirement.

RESOLUTION #129 (#71)

Retirees Returning to the Classroom

Submitted by: Associated Teachers of Huntington, Bellmore-Merrick United Secondary Teachers, Carle Place TA, Copiague TA, East Meadow ART, Farmingdale FT, Glen Cove TA & Retired Educators Chapter, Great Neck Retired Educators Chapter, Herricks TA, Levittown UT, Locust Valley SEA, Manhasset EA, Mineola TA, Monroe #1 BOCES PSP, Nassau BOCES Central Council of Teachers, Port Washington TO, Retiree Councils 1, 4, 13, 17, 18, 19, 20, 21, 22, 37, 38, Rochester TA, South Huntington TA, West Hempstead EA

Whereas, many school districts in New York State are suffering a shortage of certified teachers; and

Whereas, there is a vast reservoir of retired, experienced certified teachers; and

Whereas, many of these teachers might be induced to return to teaching if they were sufficiently compensated; therefore be it

Resolved, that NYSUT seek legislation to permit retired teachers returning to the classroom to retain full salaries with no loss of retirement benefits in districts whose staffing includes non-certified teachers and/or unfilled positions; and be it further

Resolved, that such legislation protects the terms and conditions of employment of both retired and in-service teachers within those local school districts.

RESOLUTION #130 (#100)

Retirement Credit for In-State and Out-of-State Non-Public School Service and Retirement Credit for Out-of-State Public Schools Service

Submitted by: Nassau BOCES Central Council of Teachers, Rockland BOCES Staff Association, United Staff Association Putnam/Northern Westchester BOCES

Whereas, non-public schools are chartered and accredited by the University of the State of New York and operate under the Education Law; and

Whereas, the New York State Teachers' Retirement System provides credit for out-of-state service; and

Whereas, members of the New York State Teachers' Retirement System who have taught out of New York State in both non-public and public schools have not been given credit for that service; and

Whereas, many teachers in the public schools of New York State have at some point in their careers, taught in non-public schools within the state or out-of-state; and

Whereas, many teachers have had similar experience within New York State or those now teaching in New York State have brought contributing experience from out-of-state; and

Whereas, former teachers of non-public schools in new York State now teaching in public schools and/or those teachers now working in New York State and having brought contributing non-public and/or public experience and/or both from out-of-state and have provided service to the residents of New York State; and

Whereas, these professional teachers, in the light of expected teacher shortages, are often veteran teachers who must remain well past the normal retirement age; and

Whereas, it is discriminatory to provide credit to one of two similar groups of teachers; and

Whereas, similar resolutions have been in abeyance on the NYSUT Legislative Docket for over 5 years and have been acted upon and/or passed into law; and

Whereas, a teacher's retirement credits are based on the years of work experience and should be credited on the totality of educational employment service both public and non-public; therefore be it

Resolved, it is recommended that (1) the NYSUT Legislative Pension and Retirement Committee seek and support bringing the Legislative Docket concerning retirement credit for in-state and/or out-of-state non-public service and/or out-of-state public school service to the forefront; (2) that NYSUT seek support and lobby to pass legislation which would provide and permit members of the New York State Teachers' Retirement who have taught in in-state and/or out-of-state non-public schools and/or out-of-state public schools to be given the opportunity to receive credit for their total educational employment and service time; and (3) that NYSUT seek, support and lobby to pass legislation which would provide and permit members of the New York State Teachers' Retirement System who have taught in accredited in-state and/or out-of-state non-public schools and/or out-of-state public schools to purchase retirement credit.

RESOLUTION #131 (#94 and #96 combined)

Retirement Credit for Non-Public School Service

Submitted by: Herricks TA

Whereas, non-public schools are chartered by the University of the State of New York and operate under the Education Law; and

Whereas, many teachers in the public schools of New York have, at some point in their careers, taught in non-public schools within the state; therefore be it

Resolved, that NYSUT support legislation which would permit public school teachers to purchase retirement credit for prior service in non-public schools.

RESOLUTION #132 (#94 and #96 combined)

Retirement Credit for Non-Public School Service

Submitted by: Nyack TA

Whereas, many teachers in the public schools of New York have, at some point in their careers, taught in non-public schools within the state; therefore be it

Resolved, that NYSUT support legislation which would permit public school teachers to purchase retirement credit for prior service in non-public schools.

RESOLUTION #133 (#94 and #96 combined)

Retirement Credit for Non-Public School Teaching

Submitted by: Bedford TA

Whereas, the New York State Teachers Retirement System provides credit for out-of-state service; and

Whereas, many teachers have had similar experience within New York State teaching tax-payers' children in accredited non-public schools; and

Whereas, teachers in private schools are presently members of NYSUT; and

Whereas, it is discriminatory to provide credit to one of two similar groups of teachers; therefore be it

Resolved, that NYSUT continue to seek and support legislation which provides for public school teachers who have taught in accredited non-public schools in New York State to purchase retirement credit.

RESOLUTION #134 (#97)

Retirement Credit for Tiers II, III and IV

Submitted by: Amsterdam TA

Whereas, the New York State Teachers' Retirement System provides credit for out of state service for Tier I; and

Whereas, many teachers in Tiers II, III and IV have similar experiences; and

Whereas, it is discriminatory to provide credit to one of four similar groups of teachers; therefore be it

Resolved, that NYSUT continue to seek and support legislation which provides for public school teachers in Tiers II, III, and IV who have taught in out-of-state schools to purchase retirement credit.

RESOLUTION #135 (#80 and #81 combined)

Tier Equalization

Submitted by: Lewiston-Porter UT

Whereas, the members of Tiers II, III, and IV that have less than 30 years in the retirement system because they took time to raise their families, work in industry, or teach out-of-state and they cannot retire at 55 like many of their colleagues without suffering a significant reduction in their benefits; and

Whereas, there are inequities between the Tiers making the system discriminatory and unfair to members who have the same responsibilities, but receive different benefits according to the date of membership; and

Whereas, the members of Tiers II, III, and IV are penalized if they retire at 55 with less than 30 years of service; therefore be it

Resolved, that legislation be aimed at changing the Tier II, III, and IV penalty to be the same as Tier I so the Tier II, III, and IV members can retire at age 55 with at least 20 years of service with no penalty.

RESOLUTION #136 (#80 and #81 combined)

Retirement at 20 Years Service for All Tiers

Submitted by: Oswego CTA, Pulaski TA

Whereas, inequalities continue to exist in the present NYSTRS; therefore be it

Resolved, that NYSUT establish as a legislative priority that all member, regardless of tiers, have a right to retire with 20 years of service, at age 55, with 2% credit for each year of service with no penalties.

RESOLUTION #137 (#80 and #81 combined)

Tiers III and IV Retirement with 25 Years of Service

Submitted by: Valley Stream TA

Whereas, Tiers III and IV members must have 30 years of service or be 62 years old when they retire in order not to incur any penalties; and

Whereas, Tiers I and II members are eligible for the new benefit enhancement, allowing them to retire in less time; and

Whereas, female members usually take time off to give birth and raise their children, thus losing time that would count towards the 30 years of service and this would make it difficult for a female who is a mother to attain the 30 years of service before becoming 55 years old; and

Whereas, this current system can discourage not only females who stayed home to raise their children but professionals in other careers from entering teaching; therefore be it

Resolved, that a change be made so that Tier III and IV members be allowed to retire with 25 years of service at the age of 55 with no penalties.

RESOLUTION #138 (#82)

Tier Equity

Submitted by: Rockland BOCES SA, United Staff Association Putnam/Northern Westchester BOCES

Whereas, members of New York State Teachers Retirement System Tiers II, III, IV do not have benefits equal to those of Tier I members; and

Whereas, there are inequities even within Tier I, since members employed after July 1, 1971, must not use five year averaging to determine final average salary; and

Whereas, recent legislation does not grant equity but, in fact, contributes to greater inequities; and

Whereas, members of Tiers III and IV will not receive the 4% enhancement upon retirement, that enhancement having been reserved for Tier I and II members; and

Whereas, members of Tiers III and IV who have more than ten years of service will receive no compensation for money paid into the retirement system for time beyond ten years of service, while new members of the system will be required to pay into the system for only ten years; and

Whereas, there remains a penalty for members of Tiers II, III and IV who wish to retire before the age of 62; therefore be it

Resolved, that NYSUT shall make every effort to bring about the following changes in the law:

- All members should have the option to retire without penalty, and regardless of age, when they attain thirty-five years of service.
- All members who have contributed to the New York State Teachers' Retirement System for more than the currently required ten years should receive some form of compensation for overpayments.
- All members should have the option of using five-year averaging to compute final average salaries.

RESOLUTION #139 (#82)

Tier Equity

Submitted by: Nassau BOCES Central Council of Teachers

Whereas, members of New York State Teachers Retirement System Tiers II, III, IV do not have benefits equal to those of Tier I members; and

Whereas, there are inequities even within Tier I, since members employed after July 1, 1971, must not use five-year averaging to determine final average salary; and

Whereas, recent legislation does not grant equity but, in fact, contributes to greater inequities; and

Whereas, members of Tiers III and IV will not receive the 4% enhancement upon retirement, that enhancement having been reserved for Tier I and II members; and

Whereas, members of Tiers III and IV who have more than ten years of service will receive no compensation for money paid into the retirement system for time beyond ten years of service, while new members of the system will be required to pay into the system for only ten years; and

Whereas, there remains a penalty for members of Tiers II, III and IV who wish to retire before the age of 62; therefore be it

Resolved, that NYSUT shall make every effort to bring about the following changes in the law:

- All members who have contributed to the New York State Teachers' Retirement System for more than the currently required ten years should receive some form of compensation for overpayments.
- All members should have the option of using five-year averaging to compute final salaries.

RESOLUTION #140 (#82)

Excess Pension Payment Compensation for Members of Tiers III and IV

Submitted by: Oswego CTA, Pulaski TA

Whereas, many members in Tiers III & IV have contributed to the retirement system beyond the required 10 year pay period, thereby increasing the financial stability of the retirement system; therefore be it

Resolved, that NYSUT seek legislation to fairly compensate those members by crediting one additional month of service for each year of contributions that were made beyond the 10 year period.

RESOLUTION #141 (#88 and #89 combined)

Extended 5 Year Averaging for Retirement

Submitted by: Amsterdam TA

Whereas, members of Tier I of the NYSTRS whose date of membership preceded June 17, 1971 are eligible for 5 year averaging in calculating FAS; and

Whereas, those Tier I members may count retirement incentives in their FAS calculations; and

Whereas, all other members of the NYSTRS are not eligible for those benefits; therefore be it

Resolved, that all members of the NYSTRS will be eligible for 5 year averaging and inclusion of retirement incentives in calculating FAS for retirement benefits.

RESOLUTION #142 (#88 and #89 combined)

Tier Equity in Calculation of Final Average Salary

Submitted by: North Babylon TO

Whereas, only members of the retirement system whose original date of membership is prior to June 17, 1971 are eligible for the option of calculating their final average salary using the five highest consecutive years including payments of termination pay, retirement bonuses and pay for unused sick days; and

Whereas, some NYSUT locals have negotiated such payments for members of their unions; and

Whereas, individuals whose membership is after that date are limited to using a three year final average salary and must exclude such additional payments; and

Whereas, the consequence of not being offered the option of calculating pension benefits using the five year final average salary including additional payments results in members receiving pension that may be significantly less than members who joined prior to June 17, 1971; and

Whereas, NYSUT has included in its legislative package the efforts to achieve the option of five-year final average salary calculation for all members; therefore be it

Resolved, that NYSUT will reaffirm its commitment to achieving legislation that will allow all members of the retirement system to have the option of selecting five year final average salary calculation including additional payments for determining their pensions.

RESOLUTION #143 (#80 and #81 combined)

Tier Equalization

Submitted by: Nassau BOCES Central Council of Teachers

Whereas, the members of Tiers II, III, and IV must work until age 62 to retire without penalty, if they do not have 30 years of service; and

Whereas, there are inequities between the Tiers making the system discriminatory and unfair to members who do the same work, but receive different benefits according to the date of membership; and

Whereas, the members of Tiers II, III, and IV are penalized if they retire at 55 with less than 30 years of service; therefore be it

Resolved, that legislation be aimed at equalizing all benefits, at the highest levels, without regard to date of membership.

RESOLUTION #144 (#93)

Retirement Credit for Peace Corps Service

Submitted by: Amsterdam TA

Whereas, some veterans have been given the opportunity to purchase retirement credit for their years of service; and

Whereas, many teachers served their country as ambassadors of good will as members of the Peace Corps; therefore be it

Resolved, that NYSUT seek legislation which would allow all teachers who served in the Peace Corps to purchase up to two years of retirement credit in the New York State Teachers' Retirement System.

RESOLUTION #145 (#93)

Pension Credit for Peace Corps Service

Submitted by: Herricks TA

Whereas, thousands of Americans have rendered humanitarian service through membership in the Peace Corps; and

Whereas, those NYSUT members who served voluntarily in the Peace Corps delayed their entry into the education profession and pension system of New York State; and

Whereas, New York State has enacted, in the past, laws granting pension credit for periods of military service; therefore be it

Resolved, that NYSUT pursue legislation which would grant pension credit for time spent, by active NYSUT members, in the Peace Corps.

* The first number associated with each resolution represents its 2005 resolution number.

** The number in parenthesis following resolutions represents its 2001 resolution number.