

SCHOOL IS IN SESSION

**Buffalo Public Schools Superintendent James Williams
and Buffalo Teachers Federation President Phil Rumore**
talk about the past year and the year to come

INTERVIEWS BY GEOFF KELLY

Here that bell ringing? That's the sound of classes starting in Buffalo Public Schools—and the start of round two in the ongoing media war between Buffalo Public Schools Superintendent James Williams and Buffalo Teachers Federation President Phil Rumore.

Last fall and spring the two traded jabs in the papers, on the radio and on television, while contract negotiations—complicated by the wage freeze for all public employees mandated by the city's control board—stalled over a number of Williams' cost-cutting proposals, most notably a switch from multiple healthcare carriers to a single-carrier plan.

Williams repeatedly characterizes Rumore as a dinosaur who does teachers and students a disservice by blocking reform. Rumore responds by characterizing Williams as a bull in a china shop, who refuses to reach out to district employees and make them partners in realizing his vision for a modernized, consolidated, high-achieving school system.

When Williams took up his post in July 2005, he brought with him a reputation as a fierce and often antagonistic contract negotiator and a proponent of charter schools. His rough treatment of the teachers' union in Dayton, Ohio, where he served as superintendent from 1991 to 1999, led to a 16-day strike in 1993. He was eventually dismissed from that position in the wake of a budgeting disaster, in which the district's projected deficit of \$200,000 turned out to exceed \$10 million. He also brought a reputation for finding innovative revenue streams for public schools and the tenacious pursuit of improved test scores. He is at the helm of Buffalo's state-funded, \$1 billion schools reconstruction program, which he views as a rare opportunity for a complete overhaul of Buffalo Public Schools, which is among the lowest-ranked in the state for academic performance.

Rumore has stayed on as BTF's president for 25 years, in large part because he relentlessly—some would say obstinately—protects his teachers' pay and benefits, which

remain generous in comparison to both state and national averages for public schools. (The average pay of a Buffalo public school teacher is about \$54,000, almost \$10,000 higher than the national average and about \$2,000 higher than the New York State average.) He says teachers—and the city's unionized workers generally—have a bad rap, that they work hard, receive fair pay and have routinely made concessions to help the city and the school district keep afloat.

Rumore's BTF and the rest of the city's unions commenced a series of protests last week, picketing the Allentown home of the control board's executive director, Dorothy Johnson, and demanding that the control board lift the wage freeze that has been in place for the past two years. Rumore says the unions

will picket again on Thursday—control board members Bob Wilmers and Brian Lipke are high on the list of targets—and will do so again and again, until they've made their point: The control board, they say, is overstepping its mandate, victimizing workers while it coddles big business and enforcing an illegal wage freeze.


Williams, meanwhile, is touting the success of his new summer school program to argue for the addition of 20 days to the school year—without specifying where the money will come from to fund the extension or whether any of that money would wind up in the pockets of teachers. Rumore says that student achievement would be better served by hiring more teachers and therefore reducing class sizes.

In other words, the public relations battle is joined once again. They are near perfect adversaries, an unstoppable object and an immovable force; which is which depends largely on where one's sympathies lie. *Artvoice* spoke to both—separately, of course; even contract negotiations are taking place through a mediator at this point—and asked each to reflect on the past year and the year to come.

—geoff kelly

AN UNSTOPPABLE OBJECT AND AN IMMOVABLE FORCE—WHICH IS WHICH DEPENDS LARGELY ON WHERE ONE'S SYMPATHIES LIE.

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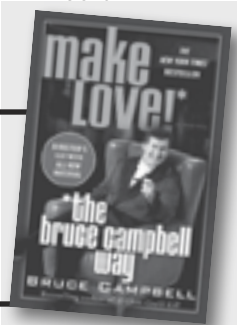
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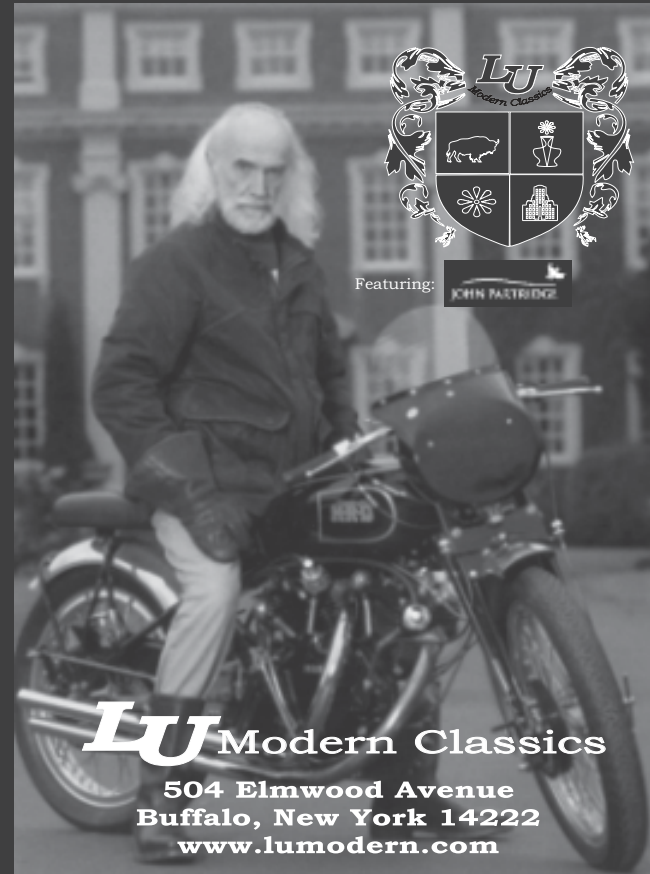
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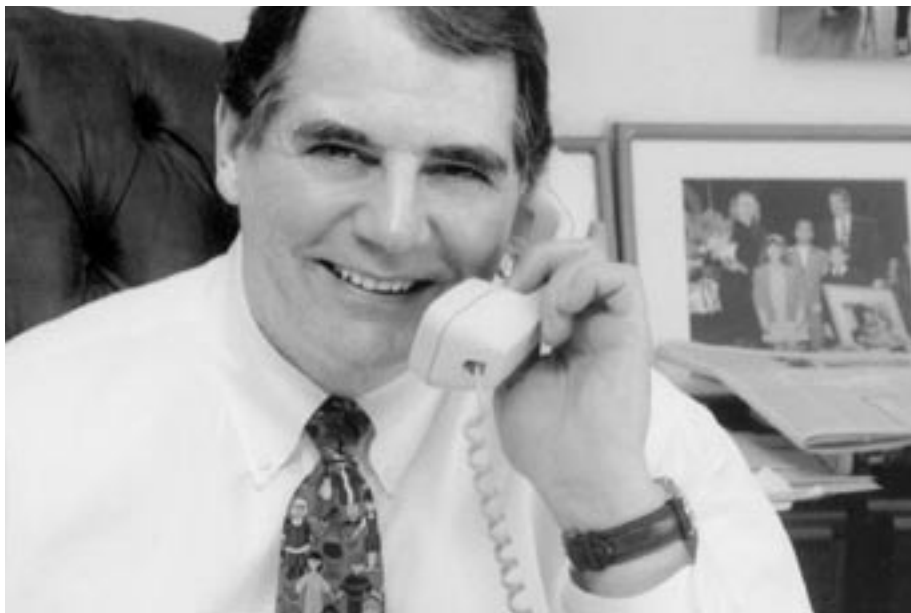
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PHIL RUMORE

PRESIDENT, BUFFALO TEACHERS FEDERATION



ARTVOICE: What touched off the picket last week in front of Buffalo Fiscal Stability Authority Executive Director Dorothy Johnson's house in Allentown?

PHIL RUMORE: The control board, we believe, has exceeded its authority and is being vindictive. The control board was put in place here to establish a sound fiscal basis for the City of Buffalo.

The thing that has particularly angered the unions now is how they've treated the food service workers. Here you have workers that were, the whole cost of the contract would have been \$10,000 to the Board of Education, for these summer workers. And they would have gotten a 25 cents an hour raise—they're making eight dollars and some odd cents an hour now. The control board turned it down and said they would not pass it unless they made concessions. These are people who have no healthcare, no retirement benefits and are the poorest of the poor—and they can't even get any retroactive pay, even if they did settle.

It is well within a \$600 million budget for the Board of Education to expend \$10,000. We think they're being punitive, vindictive. Some of the statements that have been made by the executive director about "a lovely workforce" have been incendiary. What we've said is, "Enough is enough." We think that the control board is out of control.

AV: The control board argues that if they raise pay for one union, they'll violate the wage freeze and have to open up all union contracts.

PR: I didn't believe in the domino theory for the Vietnam War, and I don't believe that if one person walks across the line that everybody's going to follow. And who's going to sue the control board? The control board still has the power to make individual decisions.

The wage freeze not only impacts on the wages people are currently receiving, but for people who are retiring it impacts on them for the rest of their lives, because their final average salary is determined by that.

After what they did to the food service workers, we said, "Look, if they're going to do that to the food service workers, what are they going to do to the rest of us?" We had to bring it home to them that we were angry.

We're going to be picketing most of the control board members. And it's not going to be just one time at each member's home or business, it's going to be multiple times. And there are going to be more and more people. We're also looking at an advertising campaign. What we want to do is to bring to the public's attention that what they did to the food service workers is a clear indication of what these people, some of whom are making millions of dollars, will do to the poorest of the poor. Is this what you think should be happening

"WITHOUT UNIONS SETTING THE PACE—FOR HEALTHCARE IN PARTICULAR—EVERYBODY ELSE WOULD BE REALLY DOWN THE TUBES. THE WHOLE STANDARD OF LIVING IN THIS COUNTRY WOULD GO DOWN IF IT WEREN'T FOR UNIONS."

here?

AV: Teachers, firefighters and police are far better compensated than food service workers. Don't you think that using their situation as your rallying point will only underline the public's perception that your constituents are better off than the average Buffalonian already?

PR: There are other workers who are affected by this who aren't just the food service workers. You have teacher aides, who make hardly any money. You have crossing guards, bus aides, you have all sorts of other people...

But it does impact teachers too. It takes us 21 years to reach our maximum salary.

You also have the police, who at great risk to their lives went from two people in a car to one—for a raise that they did not get. The firefighters have been without a contract for five years. And anyone who thinks the police and firefighters are making more money than they deserve, I would ask them to be a policeman or a firefighter or a teacher and walk a mile in our shoes and then say they're getting paid too much. They're not getting paid enough.

Do they make more money than the average person in Buffalo? Maybe, but so do doctors, so do lawyers. I don't hear anyone complaining about what the doctors and the lawyers make. When you get into an accident, you don't go to the doctor and say, Well, I'm really outraged that you're making \$400,000, \$500,000 a year. There's a double standard.

AV: There is also a persistent belief that municipal unions have a stranglehold on city,

county and state finances. People look at teacher salaries, healthcare and retirement benefits and say, "I don't get that." How do you win sympathy from people who are both jealous of what you have and convinced that what you have is more than government can afford to pay?

PR: Well first I would say that the only reason that the people who aren't unionized are getting what they're getting is that the unions are getting what they're getting. The only reason that the workers at Wegmans are treated so well is because Wegmans takes a look over its shoulders at what the unionized people are getting. Without unions setting the pace—for healthcare in particular—everybody else would be really down the tubes. Many companies try to match the unions so they can keep the unions out. The whole standard of living in this country would go down if it weren't for unions.

Here in Buffalo, the unions did not make the decision to put the rapid rail transit down the middle of Main Street. We did not make the decision to put the stadium in Orchard Park. We did not make the decision to put UB out there in the suburbs. When economical cars like Volkswagens were selling so well, it was the leaders of the automobile industry who said, "No, the public wants bigger cars..."

The workers don't make those decisions. We didn't make any of those decisions, yet they're asking us to pay for them. You think that city government is going to say, "Yeah, we really screwed up and that's the reason we're in this mess?"

Never. Blame it on the Taylor Law. Blame

it on the workers. Don't think for one second they're going to accept responsibility for anything that's gone wrong. But they'll take credit for anything that goes good, and they're not going to say thank you to the workers.

AV: Talk about your relationship with Superintendent James Williams, which made plenty of headlines last school year.

PR: Obviously it started off on a real bad foot. First thing we had him do was come in here and threaten to kick my ass. Called me a liar, called me a snake. At the same time we were trying to work with him. And I would point out that we have not responded in kind.

Our issues with Dr. Williams are not so much what he's trying to do. We've been trying to get an alternative school for five years. We've been trying to do away with social promotion for 15 years. BTF has always supported a summer school program; we think it should be made mandatory by the state, as a matter of fact.

It's not a question of what, it's a question of how. If you're going to be successful, you need to build a team that feels valued. Superintendent Williams has not demonstrated that ability to lead by bringing people together as a team. It more of "My way or the highway, this is the way it's going to be done, if you don't do it my way you're going to be in trouble."

Every time there's a problem, he blames the employees. It's the teachers, it's the administrators, it's somebody else, it's who was here before me, it's the Taylor Law. It's because we don't have a single carrier.

It's easy to put the blame, but your job as a CEO is to bring people together, not to lob hand grenades. If you're going to be successful, people have to feel valued. They don't like to have cheap shots taken at them. They need to feel a part of the process. That has not happened. I hope it can. I really hope that the superintendent can become less confrontational. But I don't see that happening yet.

AV: The city's police are seeking a ruling that would make it legal for them to strike, arguing that the wage freeze violates their existing contract. Has there been talk of a strike among teachers?

PR: I have to be careful what I say here. In response to members who are really upset, from all of the unions met here at BTF about three or four weeks ago, and that's one of the subjects that was discussed—a city-wide strike.

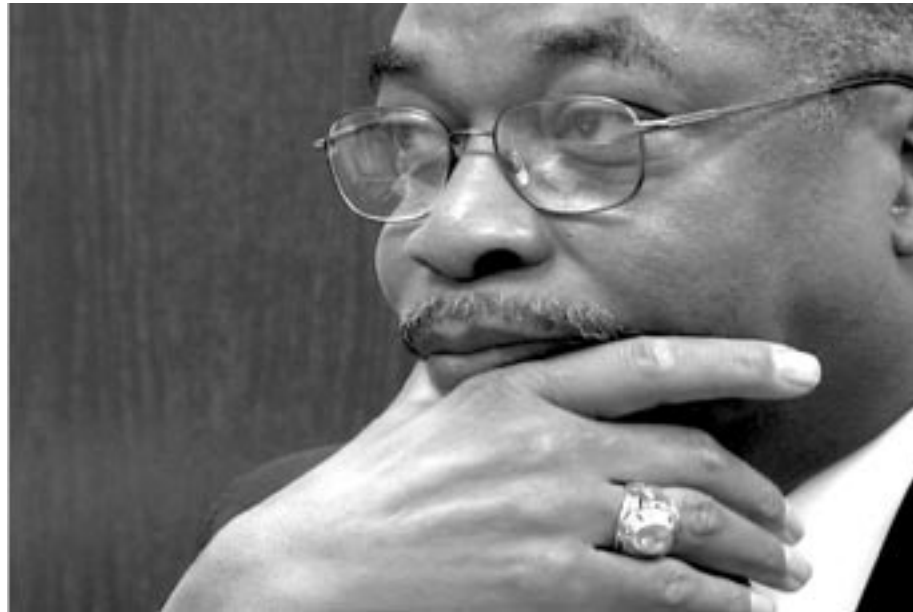
Under the law we can't threaten that. The only thing I can say is that, in response to our members, it was discussed.

We have a dual allegiance: We have an allegiance to our kids and we have an allegiance to our teachers. It's a balancing act. When we went on strike it wasn't because we wanted to go on strike—and I've been president since 1981 and there hasn't

CONT'D ON PAGE 14 (LEFT SIDE)

DR. JAMES WILLIAMS

SUPERINTENDENT, BUFFALO PUBLIC SCHOOLS



ARTVOICE: What do you count among your successes in your first year in Buffalo?

JAMES WILLIAMS: As a new superintendent coming in, changing the culture of the system as well as the culture here in Buffalo. I'm very pleased with the way the teachers as well as the administrators and the support staff have really adjusted to our work, despite some of the challenges we were facing because of union issues.

I'm very pleased with the work we accomplished this last year. First we came in and we put a three-year plan in place—a three-year achievement plan focusing on reading and literacy. I looked at the 28 lowest-achieving schools in our district, and we focused on them. We closed Seneca High School down as a vocational school and we opened it again as a math-science-technology high school with the assistance of the College Board and the Gates Foundation.

When I came here in July of 2005, there were about 1,300 eighth graders who had passed, based on the criteria used here in Buffalo, with As and Bs on their report cards, but when we looked at the state data, those students were "intensive" students on the state exam—"intensive" indicated they were two grades below in reading. So I put a plan before the board—that was part of the hiring process—that we should not move those students to ninth grade because they were geared to drop out of school.

So we retained those students. They had to take English language arts and math at the eighth-grade level, although we moved them into high school and they took other high school classes. And then they all had to attend summer school to take those English language arts and math classes at summer school again. I was very pleased that, out of 1,300 students, 1,191 attended summer school and 85 percent of those students were successful and moved to the 10th grade.

That's a major change in the culture here. The key part will be to track those students and see how many of those students will graduate in the next three years. That's what we'll really look at, because under the previous structure they would have probably dropped out of school. Number one, they would not have passed the Regents exam; in New York you have to pass five Regents in order to graduate from high school.

If you look at our data from last year, 40 percent of our students did not graduate from high school on time. In the State of New York, we have probably the worst graduation rate of any state in the country—and it's extremely low among African-American male students.

AV: You've talked about putting an end to social promotion in general.

JW: We cut out social promotion in this district. When I talk about a change of culture, this is what I'm talking about. We

"IT'S NOT THE UNION'S FAULT THAT SOMEONE IN ADMINISTRATION HAS NEGOTIATED THESE TYPES OF CONTRACTS. BUT THOSE CONTRACTS HINDER THE DEVELOPMENT OF THIS COMMUNITY AS WELL AS THE SCHOOL DISTRICT."

cut out social promotion; we brought in a three-year assessment plan, so we start to look at data through a different set of lenses.

We had an extended school day for those [prekindergarten to second-grade] students who were not on grade level; they've never had a summer school for [prekindergarten to second-grade] students. And those students who were intensive had to come to summer school, and we received great data from that, where 100 percent of our pre-kindergartners moved on to kindergarten, 72 percent of our kindergartners reached their benchmark and will move on to first grade, 15 percent of our grade one students—these are the students who attended summer school—15 percent reached their goals, as well as 40 percent of our grade two students.

Historically in this district those students would have just moved along through the system without any type of intervention strategy. We intervened and added 20 more days to the school year to work with these students, to try to get them on grade level as we moved them through the system. And we're going to track these students all the way through, because this should have a major impact on our overall state assessments, and we should begin to see improvements in our system starting next year as we progress through the grades.

AV: Those all sound like positive developments. What about your public spat with the teachers union and particularly with BTF President Phil Rumore?

JW: I'd like to talk about unions in general; there are more unions here than just

BTF. Obviously the teachers are the largest union here.

My issue is that we still function, from a union standpoint, on a 1960s model. Change must occur now. It's not the union's fault that over a period of 25 to 30 years someone in administration has negotiated these types of contracts. I give the unions credit, they've negotiated some very good, challenging contracts. But those contracts sort of hinder the development of this community as well as the school district.

We're hoping that we can get our unions to see that we have to change some of the structural things in those contracts. We cannot continue to operate this system with multiple health carriers. We cannot continue to operate this system where 180, 182 days are considered sufficient for our students. We are not an agrarian society anymore; we are in a highly global, technological society, so we have to adjust our academic programs to deal with that. Our union contracts, especially with the BTF, are geared toward an agricultural model, a manufacturing model.

AV: You've developed a reputation for brashness and for taking a hard line with unions. How do you convince teachers to cooperate in making the kind of changes you're looking for?

JW: One thing I can say: Our teachers, despite those challenges, have adjusted. They worked in our extended school year program. We have an extended day program for our seventh and eighth graders who are over-age; the teachers worked in that program. I just see a positive attitude

among our teachers and administrators when I travel around the schools. This morning I met with all of our prekindergarten teachers, and I saw enthusiasm. I met all of our first-year teachers—we have over 200 new teachers coming into this district.

We balanced the budget this year with no layoffs. First time in seven or eight years that has happened. We balanced the budget with no layoffs, and we ended up hiring additional teachers this year. So despite the differences of opinion, despite the contracts, I see people caring about our children and moving forward despite those challenges.

AV: You're in contract negotiations now with BTF. What will constitute success for you?

JW: Number one, we have to have a single health carrier. When I came here, the board had made a decision to move to a single health carrier, because we have to contain costs. When you deal with multiple carriers, you have no leverage to negotiate lower costs for healthcare.

AV: What kind of savings would that mean to the district?

JW: About \$1 million a month—about \$12 million a year in savings. We're hoping to drive that down even lower.

We want to put a package on the table; we have put a package on the table. We have a solution to a contractual settlement here, but obviously it's not in the best interests of the BTF.

There's a two-step process we have to go through. The first step is you have to go through the control board. I'm very pleased with the control board because they're willing to work with us. And then the next step, if we can get the control board to support what we're doing, then we need to go to the state and get a funding stream to make sure we have consistent revenue in order to compensate our employees.

In order for that to happen, there are some things in the contract that I want to change. We need a longer school year. I'm not talking about a longer school year without paying teachers, but we need to talk about it. We extended our school year this year 20 days, and we paid our teachers. You didn't hear any pushback from anyone.

AV: BTF says that the proposed raises don't match the proposed increase in working days in the school year.

JW: Whatever the issues are, we need to sit down and talk about it. Where else in the country do you work 180, 182 days and make \$50,000 or \$60,000 a year? We've got to change. Let's sit down and talk about compensation based on what we can afford and how we can improve the quality of education. If we can improve student achievement in this district and move this district forward, the legislators in this community will support public education wholeheartedly. We will begin to chal-

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been a strike since then—it's because there was no alternative.

AV: Williams has a history of holding firm with unions. Teachers in Dayton went on strike when Dr. Williams was superintendent of schools there. Does that give you pause?

PR: The union there is stronger there now than it ever was; it got to be strong there because he caused a strike. A strike isn't a divisive thing; what it does, it pulls people together. It doesn't divide an organization, it makes it stronger.

I don't think that strike had to take place. If he's coming here with that attitude...and that's what's reflective: "I don't care what your contract says, we're just going to do it and you can grieve it." Like with the single carrier: "We'll just do it." At what cost? At what cost to the morale?

There a lot of anger out there, because we feel like we're being blamed for problems we didn't cause. Whether people believe it or not, it's the unions working with the Western New York delegation that has a lot to do with how much money comes into this city, and last year we had one of the largest increases in state aid ever. The district is not financially strapped. How they are spending their money is a different issue. They've padded administrative positions. They're talking about adding more. The city has money.

AV: But we are told that the city and the school district both will face future deficits if the unions don't make contractual concessions.

PR: Municipalities and governmental agencies can project expenses but they cannot project increases in state aid. The board of education got a \$25 million or \$30 million increase in state aid this year. Under the law, they can project future expenses but they can't project increases in state aid—that's why these deficits always look so damning. Of course it's going to look bad then. But is the district going to get less state aid next year? No.

The districts love this, because they can say, "We're going to have a zillion-dollar deficit next year." That's their PR game. It is largely a PR game, and we're not winning that PR game. I freely admit that.

AV: Besides picketing and similar PR efforts, what else are the unions doing to unfreeze wages for their workers?

PR: We think that the control board is not just assuming fiscal responsibility—they're going beyond their powers, and everybody is afraid to test them. We are testing them in court—BTF and the other city unions. We believe that the wage freeze is illegal and a violation of the US Constitution. There's a section of the Constitution called the contract clause, which basically says, "Thou shalt not mess with someone's contract until you've exhausted everything else." We believe there is good case law which says that there were other remedies available to the state outside of the wage freeze, and we'll have that decision in September or October.

AV: How are contract negotiations going right now?

PR: As it is now, for the step forward they took, they've taken 18 steps backward. Now they're asking us to pay for our healthcare—not all of it, but a portion, and I think it's important to understand how that comes about. We don't pay for our healthcare now, but what we have done in the past is, let's say they were going to give us a three percent raise. We say, "How much is it going to cost us if we don't have to pay for healthcare?"—and we subtracted that amount from the raise. The free healthcare hasn't come free; we

paid for it by taking less in our salaries. And actually that benefits the district, believe it or not, because they don't have to pay FICA, which they would have had to pay if it were a raise.

The negotiations now I don't think are going well at all. We've requested information from them three or four weeks ago and we haven't yet received a response. There are a couple of forms they have to fill out for the state which give the real numbers in their budget, where their money is and how they spent it. For some reason we haven't gotten that information yet.

They have taken the position that the control board has said that there can't be retroactive raises. Does anyone expect me to go before 3,400 members and say, "Have I got a deal for you: You're going to get a raise, but it's not retroactive, and furthermore you're going to have to give up more than the raises cost? You're getting a raise, but you're paying for it."

One of their proposals is to add a half an hour to the day and also to add two days to the year. That in effect is about an eight percent increase in work time. They're offering about a two percent raise. The whole concept is not only having to pay for your raise but to put more into the pot.

AV: What is BTF's position on charter schools?

PR: Gary Crosby, the district's chief financial officer, tried to settle the debate as to whether charter schools are costing the district money—because everybody says, you know, we're taking this many students out of the schools, so your expenses are going down because you don't have to educate them, so you're not losing any money.

What Crosby did is asked if we were to return all these students to BPS, how much would it cost us? Let's say we're sending \$60 million to the charter schools. If all those students were returned to us, the cost to us would be something like \$25 million. That means that we are sending millions more to charter schools than we would expend if they stayed here. The number turns out to be close to \$35 million that we are sending to charter schools that we wouldn't have spent if they stayed here. That mean there's \$35 million out there that we could be spending on our kids.

The charter schools have a point too; they say they're not getting the money they should get. They're probably right—but don't take it out of our hide. What should have happened is that there should have been a separate source of funding for charter schools. It's like saying, "Your schools aren't performing enough, so we're going to take away \$35 million that you could use to address your problems, and expect you to perform better anyway."

Also, I'm concerned by some of the demographics. Charter schools don't have the same percentage of special education students that we do—severe special needs students. The law precludes them from discriminating, but if you don't have the programs, the students aren't going to those schools. And at some of the charter schools, if you look at the wealth of the students, a couple of them are way out of proportion. If you look at their minority representation, a couple of them are well out of proportion. What happens when you're in trouble at the charter schools? You get expelled and you're sent back to the public schools.

Charter schools are public schools, too, and I have real concerns about public funding for programs that show such demographic disparities, even if I don't believe those discrepancies are intentional.

lenge charter schools. The reason charter schools exist is because we didn't do a good job in our school system.

AV: What is your position on charter schools in Buffalo? You've been a supporter of them in the other cities where you've been superintendent.

JW: I support charter schools; I understand why they exist. Also, I like the challenge. If they're doing it better than I'm doing it, then I want to do better in a different way. What I'm finding out is that parents like charter schools because they're in school longer—some charter schools keep kids until four or five o'clock in the afternoon. If you're a working parent, that fits your schedule. How much are we paying charter school teachers? I don't know, but they seem to be happy.

We have to adjust our system to meet the challenges out there. Right now we have a big challenge with the global market. Globalization is a big challenge with this country. It's challenging education. Do we sit back and let China and India and other countries excel academically? Do we sit and here and complain about a 1960s contractual issue? I say let's become aggressive and begin to look at this global society that we're in, and in order to do that we need to change the way we do business.

All of our high schools will have AP classes this year. When I came here last year that was a big discussion for parents; if you wanted a good education you had to go to Hutch Tech or City Honors. We're changing that. All of our ninth graders will take the PSAT this year, because I want to get some scholars out of this district; I want to begin to focus on the SAT tests.

AV: You've dealt with striking teachers before, and there is some talk of a city-wide strike to protest the wage freeze. What's your reaction to that possibility?

JW: Let's say the control board lifts the wage freeze. Where am I going to get the money? Speaking only for the school system now, where am I going to get the money from to go back to the old system of step increases and raises? We don't have the money to do it.

The control board is not the problem. The problem is that we have a structural budget process in Buffalo and we have a political public policy issue in this state that is forcing these things to happen. The Taylor Law should be revisited. Those are the things that this community should focus on. It's not the control board. If the control board could lift the wage freeze tomorrow, in the school system I will still not have enough money to do what the current contract will call for.

AV: Would you say negotiations are going well?

JW: We have agreed not to publicly talk about negotiations, but we are meeting.

AV: How is the \$1 billion school reconstruction program progressing? Can you give us an update?

JW: That is going very well. We are opening seven new schools next week: Waterfront, School 6, School 82, School 91, School 84, the math-science-technology school at Seneca and Academy School at 44. Those are beautiful schools. We did a walkthrough last week and we are very pleased.

We're also opening up All-High Stadium; we're doing about an \$8 million renovation there, all new AstroTurf. I understand you have not had a night game in Buffalo since 1950. They'll have lights there now.

Now phase three of the reconstruction project will start, and there are nine schools in phase three: City Honors, South Park, Riverside, Burgard, School 76, School 45, School 43, School 27 and School 32. Then next year Bennett High School should be ready and renovated, along with Hutch Tech, which should be moving to its new building next year.

The economic development in this community though the school system is unbelievable. People are saying there are no jobs in Buffalo, and I don't believe that. There are plenty of jobs in Buffalo, but you have to have a certain academic preparation in order to get the jobs. I met with the Niagara Medical Group a couple weeks ago and with Roswell, the Bio-informatics Center. They have about 8,000 jobs there, and they're saying they cannot find people locally. And then we look at the Blue Cross-Blue Shield building downtown, Independent Health and Kaleida—there are plenty of jobs there, but you have to have the professional preparation to get them. There are no jobs for high school dropouts, for drug addicts and criminals, for guys wearing their pant around their ankles, with tattoos all over their bodies.

That's the cultural change I was talking about. We've got to change the way people think about Buffalo and the future of Buffalo. **av**