

**New York's School Teachers Say No to the Status Quo!
A Chronicle of New York State's Teachers Union's (NYSUT) First
Contested Election**

**Researched and Written by:
Lee H. Adler, Cornell ILR**

Inspiration for this paper came from classroom teachers and public education workers throughout New York State who stated, "It is time to fight back. There is a first-time for everything."

Preface

Other than a scattered mentioning on educational blogs, and a few uninspired national references, the New York State United Teacher's (NYSUT) April 2014 first contested election in its four decade history did not seem to matter very much. We saw it differently at Cornell's ILR School. NYSUT is known as a highly efficient, top down, union powerhouse, yet we learned that this election saw school teachers and their local union leaders utilizing their organization's design and structure for the members' advantage in a stunning "bottom up" political victory. This surprising outcome is why we decided to research how this occurred and write this report.

Along the way, we met brilliant strategists, courageous political novitiates, remarkable communication specialists, and never-ending tenacity wrapped in purposefulness that ensured school-based leaders their electoral success. In doing so, they joined their insurgent teacher colleagues in Massachusetts, Milwaukee, Chicago, Los Angeles, St. Paul and elsewhere, affirming that school teacher trade unionists can and will respond to the attacks upon them and public education.

The following pages chart why this contested election occurred and how the insurgents proceeded. The information is based primarily upon extensive interviews with rank and file leaders and discussions with former and newly elected leaders. There are also specific references to observations shared by the defeated President, Richard Iannuzzi, who graciously offered his candor in explaining how he saw what was happening to the union and why he acted as he did in the period leading up to his defeat.

This report begins with some brief comments about NYSUT's history¹, placement of the election in both a national and New York state context, and an explanation about how NYSUT's structure had so much to do with the election. The bulk of the writing describes how rank and file forces slowly but molecularly developed into a force able to successfully challenge the president and leadership team of the largest state union in America. Throughout, the detail presented suggests that power wielded by rank and file union members of the teaching profession is the best hope to restore balance to public education in the country. The next few years will tell us whether this "suggestion" is so.

¹ Brief conversations also occurred with NYSUT's leading historian, Dennis Gaffney, and Richard Kallenberg, author of an important book about the UFT founder, Albert Shanker.

Introduction

Societal forces not unlike the anti-war and civil rights movements in the mid-1960s also drove teachers from upstate and downstate New York to merge² into NYSUT (New York State United Teachers). Following passage of the Taylor Law³ this formidable public employee union became a legislative powerhouse, skillfully cultivating political allies amongst both parties, often gaining what the union needed and thwarting that which was perceived as harmful.

Much of that has changed in the last few years. Even before the Great Recession and its rugged impact upon governmental revenues, educational “reformers” from both parties and wealthy philanthropists seized the educational narrative, blaming teachers and their unions for America’s educational failings. Cuts in school aid from states, property tax restrictions, the rise in the legitimacy of “alternate” public schooling, such as charter schools, poorly conceived and executed national reforms like No Child Left Behind and Race To The Top, badly designed teacher evaluation processes, and fierce legal attacks on seniority and tenure have all caused serious political damage to the long-time influence and sturdiness of the educational unions. Concomitantly, national, state-wide (like NYSUT) and even many local educational unions saw their political voice weakened as well as their once vaunted political power.

Meanwhile, rank and file public school teachers, better known for their resilience and patience in extraordinarily difficult educational settings, have become the unionized political force grabbing for the reins. They are fighting back and doing so effectively. Beginning in 2011 with the electoral crushing of the hapless former Chicago Teachers Union leadership, Milwaukee, Massachusetts, and Los Angeles have all seen rank and file activists resoundingly defeat incumbents. Other city educational unions like St. Paul have mobilized their members, parents, and community and gained progressive changes that advanced learning while protecting teachers’ rights.

In many of these cases those vanquished mostly played the same kind of inside political game⁴ that worked for NYSUT for decades. What all of these now beaten incumbents learned is that that “game” no longer works, and its members increasingly do not look to those who follow this failing strategy to lead. As if it needed to be reminded again, Governor Andrew Cuomo’s December 2014 veto of his own bill easing teachers’ worries about how teacher evaluations

² One of the union’s early signature accomplishments was to change legislation which had expanded the probationary period for New York’s teachers to five years and have that period reverted back to the three year period which stands today.

³ The Taylor Law, passed in 1967, both established the right for New York’s state and municipal employees to bargain collectively and outlawed their right to strike.

⁴ The term “inside game” refers to the highly effective ability in NYSUT’s case to maneuver about the Legislature and the Governor’s offices in ways that maximized benefits to their far flung membership, often by stopping bad things from happening. The effort was almost always bi-partisan, politically appropriate but intense, and remarkably successful. The last few years demonstrate that these political proficiencies are many fewer.

might be used over the next 2 years shocked educators around the state. But, his hostile action directed at NYSUT was actually consistent with what has been going on for a number of years now. The “inside game” is no longer a workable part of public education union strategies. They must look elsewhere.

This paper while referencing these other educational union successes will chronicle NYSUT’s first truly contested election⁵ this April in its nearly 45 year history. Although sprinkled here and there with experienced union activists, the NYSUT forces and faces of transformation, confrontation, and electoral change were more likely to be women and male teachers in their 30’s and 40’s who were fed up with their failing, politically-mistaken leadership. Starting with a small handful of activists, they strategically made their plan, tactically picked their issues, and at every step organized actually and electronically around and through the beliefs, feelings, and worries of their state-wide rank and file sisters and brothers.

The efforts to sidetrack their Movement are of some interest, but the whys of their sweeping success will receive most of our attention. These insurgents kept their political eyes on everyone. Small locals with 50-100 members were cultivated with care and sensitivity, while their toughness showed the big city locals upstate and downstate that they meant business.

In essence this is a story about how these educational activists’ (now nearly NYSUT’s entire Executive Committee and nearly every new Board of Director member-a virtual electoral sweep) sincere ties to their communities, to their parents, and to their members might well be the antidote to the specious, wrong-headed, and at time malicious political undertakings of the education reformers that have blamed America’s teachers for public education’s problems. The NYSUT story is so important in part because it has placed Bill Gates and Arne Duncan and the activists’ own unions on notice - here comes the rank and file public school teachers to not just join but finish this fight.

Before detailing how this electoral fight took place, it is important to recount the political reality in which it occurred. The following pages of this report do just that.

The Political Context

Being a school teacher the last decade has been rough everywhere. No place has been safe. Florida and Tennessee have yanked the long-standing tenure laws in their state, and New Orleans succeeded in firing nearly every unionized public school teacher following Katrina, making its present school system all but 100% “chartered” and non-union. Cumulatively, layoffs of teachers have been in the tens of thousands, nationally, and the biggest national union, the National

⁵ There was an “almost” contested election thirty years earlier that got resolved at the voting convention with an agreement that settled the opponents’ dispute in caucus deliberations just before voting began.

Education Association (NEA), has lost more than 230,000 dues paying members⁶ since 2010-11, including those occasioned by statutory changes in states such as Wisconsin which mauled teachers' right to collectively bargain.

During this period, locals like the UFT in New York and the UTLA in Los Angeles were threatened year after year by mayors Michael Bloomberg and Antonio Villaraigosa, respectively, with massive layoffs, although actualizing the threat was limited to Los Angeles. Still, relatively new, and, at times, not so new teachers were uncertain for months out of every year whether they would still be teachers and where. Public school teacher turnover continued to be approximately 50% nationwide after 5 years, and the events described here played their role.

Meanwhile, the de-skilling of the profession continued while suspect research continued to emerge suggesting that an excellent teacher was the single most significant event in whether a child succeeded. All sorts of uncertain theories and practices, ranging from Value Added Modeling (VAM)⁷ (Did a teacher add the predicted increase in a student's learning as indicated by the standardized testing regimen?) to speculation about ratcheting up technology⁸ were advanced as part of "educational reform". Rarely were teachers or their unions included in the processes or discussions that led to the rollouts of these tinkering, but they were frequently singled out for a wide range of blame, as obstructionists, the real cause of America lagging behind the rest of the world, and for individual children's failure.

While Democrats hammered educational unions and their members in Washington DC, Los Angeles, Chicago, and the all but Democrat Bloomberg in New York, Republican governors and legislatures began stripping unions of tenure and seniority rights in parts of the South. In the heartland of Ohio, Wisconsin, Indiana, and then Michigan, there was a full-fledged attack on bargaining, dues check-off, and work place rights. On July 31, 2014, the Wisconsin Supreme Court upheld all of Wisconsin's harsh restrictions upon school teachers' work-place rights and reminded all who chose to read their opinion that these are rights that *any* Legislature can take away.

In New York state, the attacks came slower, more plodding, and differently. Going back more than 10 years, to 1998, we saw NYSUT playing the "inside legislative game" as skillfully as possible in the union protections (access for organizers; all employees of charter schools are

⁶ An Education Week story dated July 9, 2013, confirmed these figures, attributing them directly to the NEA's Secretary-Treasurer. See also a June 4, 2014 Education Week article (Sawchuk) in which that same figure is used a year later. NYSUT's other national parent organization, the American Federation of Teachers, has not suffered similar losses, more because of geographic fortuity than different strategies.

⁷ Value added method testing is a method that essentially predicts that a teacher should be able to add a certain quanta of knowledge or understanding to a student, and this "added knowledge" can both be measured, and a teacher's contribution evaluated, say proponents. It is quite controversial, and educational union leaders have been on both sides of the issue.

⁸ The Los Angeles School District sought to provide each student with an IPAD but failed to have technicians at school sites to demonstrate usage or to install filters that would ensure the students used the device as intended.

public employees; survival of CBA's when charters take over a part of a pre-existing school; and egregious Taylor Law violations by a charter operation could be grounds for revocation of that organization's ability to operate that charter school) they gained in the Charter School Act. The full impact of these earlier NYSUT legislative accomplishments were realized when 2 important PERB decisions were published in 2011, **Kipp Schools** and **Brooklyn Excelsior**, which clearly enforced union rights won in that 1998 legislation.

Otherwise, the early part of the first decade saw significant NYC teacher raises approved by the Legislature in 2003, a number of successes at turning back proposed statewide education funding cuts, and of course the re-upping of mayoral control in New York City. By the time Eliot Spitzer was elected in 2006, pressure mounted on the Legislature and the Governor to pay only a pittance towards what was owed to needy school districts which fought in the Campaign for Fiscal Equity (CFE) suit⁹. Those anti-CFE forces mostly prevailed, but in the meantime the UFT Providers (UFT's remarkable organizing success, teaming up with ACORN and CSEA, which gained nearly 30,000 new UFT child care provider members) secured an Executive Order from Spitzer that recognized these early education workers' right to exist and organize.

With Spitzer's premature departure, and the onset of the Great Recession and David Patterson as Governor, pressure mounted for a new pension tier, which Governor Patterson and the Legislature passed in 2009 despite considerable teacher and other public employee union opposition. It was one of the few unmistakably clear public sector legislative defeats suffered by NYSUT at the hands of their former "inside game"¹⁰ allies.

National educational unions' political slippage continued as a surprising number of their former allies (Democrats and Republicans) joined with the "education reformers" in blaming teachers, their pensions, their health care rights, their wages, their right to only be disciplined for cause, and certainly their unions as significant contributors to America's educational and economic decay. Still, in 2010, New York's Governor Patterson and its legislature, despite noisy conservative opposition, strengthened the Spitzer-signed UFT Providers' enabling legislation by

⁹ See, e.g., court decisions in which New York's school aid funding mechanisms were ordered to be changed by NY's highest court, one of which may be found at 8 NY 3d 14 (November 2006). Further, when the appropriate funding was not added to New York's budgets, its critics assailed Governor Cuomo, <http://www.nydailynews.com/opinion/cuomo-school-cuts-unconstitutional-lead-lawyer-campaign-fiscal-equity-case-article-1.124492>;

¹⁰ This writer believes that the period from supplemental charter school legislation in 2006 through the present for the most part evidenced a decline in NYSUT's legislative power. Their strength, the "inside legislative game", referred to earlier, was weakened by a combination of the Great Recession, the Right's public sector attacks, defection by key Democrats, the loss of Republican Senator Joe Bruno as New York's Senate majority leader, and the lessened need of New York's Senate Republicans to rely so much on NYSUT financial and political support. Any return to success at the "inside game", will likely require **consistent** agitation and mobilization (union activists call this Internal Organizing) in NYSUT's affiliated locals, something that this organization has not had to do systematically before.

codifying it into law.¹¹ There was still a pulse that could be located in the educational unions' "inside game".

The year 2010 also brought to the nation and New York the first Race To The Top (RTTT) battle, and it was not pretty. There was little about RTTT or Secretary Duncan's explanations that made sense. It was a multi-billion dollar "competition" amongst the states to follow criteria set by the federal government that sought to institutionalize "education reform". It turns out that the effort was mostly one to expand the use of highly controversial student testing to "evaluate" and rid school systems of "bad teachers". Still hard-pressed by the Great Recession, many states fell over each other to appear in their applications willing to change their laws to meet these federal policy objectives. New York was one of them and after failure to gain any grant in 2010 (Round One), the Governor, the State DOE, and lots of politicians made it clear that NYSUT and its affiliates had screwed up the 2010 opportunity. These forces promised to not let that happen again.¹²

This clearly put former incumbent President Richard Iannuzzi in a very tough spot¹³. On the table was the need for legislative change that mandated every school district develop a teacher evaluation process that had real teeth in it. A significant part of that evaluation would be based upon how well NYSUT teachers' students did on standardized tests. Although not much is known about who said or argued what during the legislative negotiations about the educational concessions demanded of NYSUT by the RTTP proponents in the Legislature and Governor's office, New York's failure to gain a "winning" ticket from the Government prompted a lot of finger-wagging at NYSUT and the UFT.

Governor Cuomo and his Democrats for Education Reform (DFER)¹⁴ and other allies, faced with a second round of RTTT in 2011, made sure that the money dangled by Secretary Duncan would this time land in New York's DOE. Again, lips and writers' pens seem mostly sealed about these negotiations, but when the Legislature went home in the summer of 2012, by law, New York re-positioned itself and now was aligned with Duncan's A-list and received a Round Two award made in late 2011. In turn, New York promised student testing including value added modeling;

¹¹ This was at the time an important victory that solidified the gains that were already being made by the UFT Downstate and CSEA Upstate amongst its newest members. After the June 2014 US Supreme Court decision, **Harris v. Quinn**, these gains are surely under threat, due to the "quasi" state employee status of these newly-organized child care providers.

¹² The RTTT details are reported here as part of the national political context in which NYSUT's leaders found themselves. There is some duplication of these details in the report's subsequent section that deals with NYSUT's structure. The writer's hope is that this redundancy does not burden the careful reader.

¹³ Mr. Iannuzzi's thinking about how it made sense to proceed in this situation in 2011 is also discussed in the following section of this writing.

¹⁴ DFER is a group of powerful moneyed and political forces inside the Democratic Party that broke years ago with the educational unions and have sponsored an educational reform agenda in many states. A number of Governor Cuomo's wealthy contributors are associated with DFER.

teacher evaluations in part “determined” by student test results; modest dilution of teacher tenure protections, and implementation of the Common Core curriculum.

The earlier 2011 political discussion about what teacher evaluations would look like had state-wide impact, but particularly Upstate. President Michael Mulgrew and the UFT were still warring with Mayor Bloomberg and relative newcomer Department of Education Commissioner Dennis Wolcott, getting little resolved after the passage of the state legislation until the late Spring of 2012. But many think that Mr. Mulgrew’s (negotiating for the UFT) and Mr. Iannuzzi’s (negotiating for NYSUT) 2011 educational reform package negotiated with the Legislature and the Governor caused Iannuzzi’s undoing, partially due to the legislative content, but, also because of the way Mr. Iannuzzi chose to explain¹⁵ it to his membership. As will be explained, Mr. Mulgrew did not face the same kind of internal reactions.

Attacks upon school teachers showed no sign of abating throughout 2011, and rank and file teachers everywhere were worried and anxious. They were especially nervous about the aforementioned NYSUT’s legislative agreement permitting usage of student testing to evaluate whether they were good teachers.¹⁶ This anxiety was ratcheted up when the state DOE, in announcing their Regulations, seemed to increase the percentage of reliance upon student testing, which increased rank and file mistrust in both the DOE and now, for the first time, in their own union. NYSUT in a court case¹⁷ successfully beat back the DOE’s aggressive efforts, but that only meant that again the union and its leadership would be taken to the woodshed by the Governor who gained certain further concessions in 2012.

From more than a dozen interviews of local union officials it is clear that the combination of the relentless attack and blaming of school teachers throughout the state without a strategically conceived counter-narrative and a game plan to fight-back cost Mr. Iannuzzi and his officers considerable trust and respect. In place of a coherent set of explanations of how regular teachers would be safe and able to teach, Iannuzzi and his leadership team rationalized that “they were at the table” and that if they weren’t, the situation would have been much worse. Those words offered little solace to teachers facing umbrage from their community, who believed that their profession was becoming deskilled as only teaching to the test mattered, and regardless of tenure, their job security felt increasingly uncertain. Many rank and filers found Mr. Iannuzzi’s explanations as unconvincing rationales and a deeper sense of leadership doubt began.

¹⁵ A number of insurgents interviewed reported that Mr. Iannuzzi frequently stated that the APPR legislation was good for teachers and good for students. This quote was a part of the insurgents’ campaign.

¹⁶ The percentage of a teacher’s evaluation that was attributable to student testing was set at 20% by the statute, but the law also allowed local school boards to apply a second 20% component to some other, local testing, or to simply double their reliance on the 20% figure, meaning, that it was quite possible that student testing could amount to 40% of a teacher’s evaluation, especially in places where the local union was not able to bargain otherwise.

¹⁷ NYSUT v. Board of Regents, August 24, 2011, Albany Supreme Court, [33 Misc 3d at 992](#);

More and more those dissatisfied by the seemingly rudderless leadership began to challenge Mr. Iannuzzi, including his vice president Andy Pallotta. What were once disparate grumblings increasingly crystallized by late 2012 into pockets of determined opponents who now for the first time discovered each other. Before explaining what these teachers did as they learned of each other, it is helpful to first turn to parts of the NYSUT structure that had an unexpected but real impact on the election.

NYSUT's Structure and its Ironic Role in this Election

It is important to detail NYSUT's structure for many reasons. It has more than 600,000 members, and over 500,000 of them are employed by or retired from K-12 and public higher education. These members and retirees are also members of more than 1000 local unions spread across the state. NYSUT's web site states that:

“We are classroom teachers, college and university faculty and professional staff, school bus drivers, custodians, secretaries, cafeteria workers, teacher assistants and aides, nurses and healthcare technicians.”

The 5 primary officers not only have traditional roles as president and vice-presidents and secretary-treasurer, but also assist in servicing their affiliates, act as organizational spokespersons, and lead the union's lobbying efforts.

The union's policy making body is its Board of Directors, and its members have the authority to create policy in between the union's annual convention, through an institution called the Representative Assembly, which comprises an apportioned-by-size local union voting members (“weighted voting”) which every three years elects its officers and Board.

The “weighted voting” and the Board of Directors' responsibility to shape critical union policy in between Representative Assemblies were critical structural elements prominent in the rank and file's success and the Iannuzzi leadership team's fall from power. How this occurred is best told by explaining the political approach NYSUT's leaders took to the exigencies they faced in confronting the Obama Administration initiative, Race To The Top (RTTT).

Following New York's failure to win the first round competition of Race To The Top (RTTP)¹⁸ in 2010, enormous political and editorial pressure, mentioned previously, was placed on the NYS Department of Education, its Regents, and NYSUT to gain the monetary advantages dangled by federal Education Secretary Arne Duncan. New York was going through its 3rd straight year of education budget cuts, the effects of the Great Recession were everywhere, and Regents Chair Meryl Tisch changed her tune, now seeking “union buy-in”.

¹⁸ Although we mostly limit RTTT's import here to how it was and was not dealt with inside NYSUT's policy-making structures, it is important to understand that part of New York's failure to succeed in the first round of RTTT was because its application revealed almost no “union buy-in”.

According to Mr. Iannuzzi, the AFT encouraged cooperating with the Administration, as, after all, it was Democratic, New York needed the money, and the President's national fiscal policies were responsible for saving tens of thousands of police officers, fire fighters, and teacher jobs with massive infusions of federal dollars. On some fairly important level, Duncan and the Obama administration needed New York and NYSUT to sign onto its educational reform measures inherent to RTTT (more testing, teacher evaluations, and the Common Core) in order to accelerate their/its national importance. Mr. Iannuzzi paraphrased Mr. Duncan here, relaying that the Secretary told him that it was one thing to have Tennessee sign on to the Administration's agenda but another for New York to do so. Thus, when NYSUT and the UFT negotiated what they did the national political table was set. Educational reform was now a part of New York state law.

Mr. Iannuzzi explained when interviewed that he and the UFT president negotiated the "deal" (referred to in the previous paragraph) that later galvanized his opposition. What Iannuzzi overlooked was the inclusion/vetting of this dramatic change in union policy with NYSUT's policy-making bodies (its Board of Directors) and the unanticipated, frightening impact these policies would have upon his members.¹⁹ Failure to include his top regional leaders in this discussion not only upset many of the leaders in these internal structural bodies, but it made them suspicious and much less willing to answer positively Mr. Iannuzzi's call to join in and "sell this" to our members. In this very important sense NYSUT's regional leaders were more accountable to the local union officers and officials in the small towns, villages, and cities that elected them to these regional and state-wide policy-making bodies. Many were startled, fearful, and increasingly suspicious of the Iannuzzi²⁰ leadership team from that point forward.

Yet another critical piece of NYSUT's political structure ran and would run counter to the Iannuzzi leadership team. Being an affiliate organization of hundreds of local unions, voting in a

¹⁹ This issue did not have the same import in New York City because the "impact" was explained more carefully and thoroughly to the UFT rank and file. However, the UFT is NOT an affiliate organization, but simply a local union, and Mr. Mulgrew had at his ready 100's of loyal staffers to explain what occurred and promise that any changes in New York City would have to be bargained over. While Mulgrew went toe to toe with Mayor Bloomberg about these issues during bargaining, all that President Iannuzzi could promise was that his 700+ local educational affiliates had the right to bargain the implementation of these changes. Too many of the locals lacked the expertise to do so and the NYSUT assistance, while considerable, was not enough to halt thousands of members' increasing sense of fear and dread.

²⁰ Mr. Iannuzzi explained this process of "overlooking" his policy-making structures by stressing the national importance of getting something done, the statewide importance in halting the blame directed at NYSUT, and the fact that every local had as "our ace in the hole", collective bargaining over implementation. Unfortunately, for many teachers and their local union apparatus, and ultimately for the Iannuzzi leadership team, what made sense in Albany during these legislative negotiations turned out to be more of a burden for many NYSUT locals, despite the assistance and expertise from headquarters. At one point during the December 1, 2014 interview, Iannuzzi acknowledged that the "average rank and file teacher, however, did not experience what we (meaning the officers) experienced". As the distance between the officers and the members' experiences grew, the credibility of the incumbents lessened.

state-wide officer year election is “weighted”, depending in essence on the number of members in each local. Although technically delegates elected by their locals have the autonomy to vote as they might for the 5 top officers and the Board of Directors, the objective truism is that most often both large and small delegations are unified (and vote similarly) under the strong control of their leader. This results in the fact that contested elections (which never happened before 2014) are winnable by the votes of a tiny fraction of NYSUT’s locals with huge memberships. Thus, when the now Karen Magee-led insurgents gained the support of the Rochester, Syracuse, Yonkers, Niagara Falls, and Buffalo upstate locals, alongside their earlier success with the UFT, UUP, and the PSC in New York City, the contest was essentially over, just from the weighted voting of those 8 locals! This was so despite the Iannuzzi team ultimately winning the overwhelming majority of locals around the state.

This was and is a tough pill for the former incumbents to swallow, and experiencing this structural, constitutionally allowed *realpolitik* certainly is a piece of the bitterness²¹ still experienced by many supporters of the defeated NYSUT incumbents today. When this internal battle started, very few strategists figured that NYSUT’s weighted voting would play such a large role in the outcome. Yet, months before the election formally occurred, NYSUT’s long – standing voting structure, which had never before been battle-tested, all but determined the outcome.

In the next two sections of this report, we will examine more about why and how this rank and file revolt developed.

Who and What Started This Determined Opposition

In previous sections this report described the external context faced by the nation’s teachers. The traumatizing and lasting Recession, increasingly successful demonization of government, its employees and their unions, a continuation of success by societal forces opposed to nearly all taxation, and a true institutionalization of cruel economic inequality left institutions like our public schools and many of its needy users gasping for air. These phenomena unsettled every workplace where America’s public sector workers served her citizens. Police lost part of their pensions following a plebiscite in liberal San Jose and by municipal legislation in San Diego. Public school teachers were fired in droves in Washington, D.C. and Indiana and Wisconsin all but ended the efficacy of public sector collective bargaining for nearly every public worker in those states. And, while California lost tens of thousands of public servants to layoffs and New York froze all of its state workers’ wages, the once hearty state of Michigan added insult to injury by becoming a right to work state.

²¹ This being said, it was still puzzling to the insurgents that the incumbents failed to read the political tea leaves that were apparent to so many.

The collective force of these external phenomena was plenty and surely felt in every corner of New York. These forces, as explained earlier, were the cause of multiple workplace challenges that many teachers felt that the Iannuzzi leadership team could not solve. As members' concern collectivized, their doubt and frustration with the incumbents ripened into a swarm of discontent that was creative and solution-focused.

In describing the NYSUT members who became this insurgent force, we are mindful that even the most accomplished social scientists find pinpointing why a woman or man joins a Movement is imprecise. Some academics theorize, others analogize, and some, perhaps encased in jargon, even speculate. This writing's offerings are primarily based on interviews of the participants, strengthened here or there with documentary support. Although those who joined the anti-incumbent forces all sought significant change in their leadership, their vision for what might happen afterwards was and continues to be quite varied. In this sense, the remarkable story told in the next pages is really the beginning of a "NYSUT change" process.

The Participants

For starters, nearly all of the former officers of NYSUT supported the incumbent leadership. Even so, every rank and file activist interviewed who was recruited or "recruited" themselves to the REVIVE²² or anti-incumbent part of the UNITY caucus were NYSUT loyalists through and through. They were building representatives or members of their local unions' executive boards. Some were local union presidents. A handful served on certain of the NYSUT state-wide Boards or Committees. Only one of these activists was distinct from the rank and file, a state-wide officer, Executive Vice President Andrew Pallotta, whose role in this movement was quite substantial. The same could be said of former NYSUT Executive Vice-President, Alan Lubin. These two men, both from the UFT, and on the outs with and sharp critics of the Iannuzzi²³ leadership team, ironically, provided critical leadership to the rank and file activists while fanning the reactionary beliefs of the Iannuzzi supporters that its opposition was in fact a UFT takeover of NYSUT²⁴. This refrain actually began in earnest *after* Mr. Iannuzzi and his team sought and failed to gain the UFT endorsement.

Different activists who later joined the REVIVE "fraction" of the UNITY caucus began their journey disagreeing with the Iannuzzi leadership at different times, in differing ways, but often for similar reasons. This was not a movement propelled by corrupt or immoral or self-aggrandizing leadership. Nor were there key disputes about NYSUT's structure or lack of

²² NYSUT is essentially a one party organization known as the UNITY caucus. The members of that caucus who chose to challenge President Iannuzzi and his team called themselves the REVIVE slate of the UNITY caucus.

²³ Mr. Iannuzzi's leadership team's slate was known as "Stronger Together".

²⁴ Over its lengthy period of formation and institutional history, a key recurring, divisive theme of internal NYSUT debates is the worry of Long Island and Upstate NYSUT leaders that certain moves or efforts by NYSUT politicians are driven by the UFT's efforts to have the New York City local control NYSUT by its stalking horses. This theme was omnipresent in the political debates that occurred between the Iannuzzi team and the REVIVE team.

democracy²⁵, although there were convincing reports that the Iannuzzi leadership operated in a more and more insulated way and excluded VP Pallotta from decision-making processes when it could. There were surely disagreements about the prioritizing of certain expenditures, but again, this issue was not at the core of the dissenters' beliefs.

Rather, time and again, in interview after interview, including with those at New York City's UFT, teachers turned²⁶ to REVIVE because Mr. Iannuzzi's leadership team:

- perpetuated the “we know what’s good for you” approach to Leadership;
- did not seem to listen or understand how serious were the rank and files’ problems;
- offered inadequate information about what teacher evaluations (APPR) would be and then too often were not helpful enough to the locals with regard to training about how to negotiate and strategically take on the challenges posed by APPR;
- did not recognize how harmful to member morale were the student testing and administrative “teacher evaluations” that consumed more and more of the rank and file’s energy and focus;
- failed to realize how mistaken and insulting it was to defend the implementation of teacher evaluation policies which Iannuzzi signed off on by arguing that “NYSUT had a seat at the table” and it all “could have been worse”;
- failed to actively reach out to parents and build coalitions or maintain the coalitions that NYSUT had constructed over the years;
- did not make communication with members a priority, whether from Albany, or when traveling on their various “listening tours”, as they frequently were unresponsive, defensive, and never able to explain what the Leadership team/incumbents proposed to do to ease the difficulties that teachers were experiencing all over New York;
- seemed to disappear from the political debate raging throughout the state about excessive testing, hasty and mismanaged implementation of the Common Core, and offering scant at best response to the awful state Department of Education decision-making and policy thrusts;
- quashed thoughtful, progressive initiatives by various rank and file members who sought to position or make manifest NYSUT as a fighting and/or compassionate organization;

²⁵ It is important to note that certain activists did report that this, internal union democracy, was very important to them because there was little or no local union or Board of Director involvement in the decision-making about NYSUT's legislative position in Albany about APPR, which was defended by Mr. Iannuzzi explaining that the leaders felt a need to act, and they accomplished what they could. Some activists argued that such a big policy concern should have been vetted through the NYSUT officers as well as the various NYSUT structures. Mr. Iannuzzi did neither.

²⁶ It is important to remind the reader that these are the sentiments of the NYSUT members who opposed Mr. Iannuzzi's leadership team. There were hundreds of locals throughout New York that did not feel this way, as is evidenced by the fact that Mr. Iannuzzi's supporters constituted the majority of the NYSUT locals, but not the majority of the votes.

- flip-flopped in a way that harmed their credibility by first belittling the value of rallies, criticizing locals' decisions demanding that the Commissioner of Education resign and that excessive testing of children be halted, and then switching their positions on all of these issues;
- too often blamed his opponents as being the creation of the UFT, which many activists took as both disappointing and demeaning;

The next few pages of this Report will explain many of these bullet points in the hope that the reader will be able to experience both the membership's exasperation with the Iannuzzi leadership team and why it became so important to so many to become involved.

How It Felt Inside NYSUT as the Teaching Profession Changed

NYSUT teachers were like most American teachers in late 2011. There was little hope then as now that either political party would act to slow down the relentless attacks directed at them generated by all sorts of moneyed and political interests active in each party. It seemed that many of their former allies were becoming more shy and muted and did little to counter the now constant anti-union rants: "they only think of themselves, not the kids"; "they won't even allow us to get rid of sexual predators"; and, "they fight us tooth and nail any time we tried to make reforms that help the children".

Nearly every teacher interviewed, in whatever part of New York, first experienced these attacks with shock, and many expected them to not last. When they continued, and newly elected Governor Andrew Cuomo revealed he also saw teachers as a major part of New York's education problem, they became worried. In many cases their reactions were more private and internal, but somewhere they kept figuring, "NYSUT is going to deal with this- our union can fix this". Even though it did not appear as if NYSUT headquarters had a strategy, this observation, made by so many, was very difficult to repeat out loud. It just could not be so that the state's historically most powerful actor did not know how to care for, let alone protect, its membership. As members' negative experiences intensified, they were no longer so fearful to raise their voices at local or regional or even statewide meetings. Yet, for a considerable amount of time even those conversations were off to the side, discrete, and more hushed than vocal.

One Long Island elementary school teacher who described with the care of a skilled seamstress how she gently measured each increasing step of her move to opposing the Iannuzzi leadership, spoke this way:²⁷

²⁷ Quotes from interviewees are not verbatim...The writer interviewed many persons for this Report, but purposefully chose to not record them. Notes were taken, and quotes reconstructed from those notes. In every instance the paraphrased quote used was based on the writer's notes and constituted the essence of what was said by the interviewed person.

“The APPR (introduction of the teacher evaluation process) even more than the Common Core changed for me the tone of teaching. It took the kids and what we did for them away from us. Most of our kids were and are very poor. There are plenty of Districts like mine on the Island. We were no longer able to use our judgment about their hunger and homelessness but had to focus on the testing and the scores. It just changed the way we related to our kids. I did not understand how our union allowed this to happen.”

Even though this local leader and thousands of others “moved slowly” politically, their members, like them, saw daily how clumsy and time consuming was the required effort to bargain over or implement or alter already bargained over APPR agreements. Local units across the state seemed to make little headway in turning down the harsh attacks they continued to experience despite cooperating with the legal changes that their union had agreed to. Pressure kept building in nearly every school building in the state, and when headquarters was asked for help, bargaining and legal expertise was surely available. Still, the stress, pressure from the community, and the need to spend so much more time to get these processes right kept pushing hundreds of NYSUT local leaders to the edge of becoming dissenters.

It did not help that this not so bottled up any longer frustration was too often ignored²⁸ by the incumbents. Teachers in various parts of the state who had different rank and file leadership responsibilities told similar stories how they asked higher-ups or regional leaders to explain at bigger meetings where Iannuzzi officers were present to hear the rank and file concerns, but their pleas “fell on deaf ears”. If Mr. Iannuzzi was present, he reminded those who brought these messages that he was at the table, and “it (meaning the APPR and testing changes) could have been a lot worse”. He may or may not have been correct, but highly distraught colleagues need to hear a more complete response than that. If teachers found that their workplace home where they showed their children how to learn or survive was no longer viable for either purpose, something needed to be done. What compelled the local leaders, who played by the rules, to believe they had to do more, was their mostly individual, at first, but then collective understanding- the Iannuzzi leadership team simply had no strategy to change what was happening to them.

²⁸ Mr. Iannuzzi disagreed with this characterization. He does not believe his team ignored the rank and file, but, rather, was unable, when he tried to respond to their concerns, to convince them why his leadership team proceeded as it did. In a sense he is correct. The legislation passed in New York about teacher evaluation was not as bad as that passed in other states, but like the Common Core implementation, the rush to “get it done”, and the pressures that emanated from the state capitol, made the legislation feel worse than it was. This became acute when the Commissioner jacked up the percentage that student testing would count in a teacher’s evaluation from 20% to 40% and a number of members perceived that NYSUT was slow in opposing this development. Mr. Iannuzzi did not believe that NYSUT moved slowly on this issue, but acted when they could, and the organization did win this suit.

In the face of the leadership vacuum this most interesting group of local union activists had the opportunity to advance their leadership credentials. Coupled with the deepening statewide doubts about their incumbents' leadership, political space opened wider inside the organization. The following section of this report will explain in more careful detail how these dynamics actually played out.

NYSUT Trained Activists Enter the Fray

Although our descriptions of what was happening to rank and file teachers was common throughout the state, it is worthy to describe what was happening amongst a smaller cadre of NYSUT members, those who received leadership training at NYSUT's own Leadership Institute ("LI") and/or as students at the AFL-CIO/Cornell ILR Union Leadership Institute. ("ULI")²⁹ All of the newly elected NYSUT officers, the "slate" that beat the Iannuzzi incumbents, went through one or both of these programs. The experiences of not just the new officers but a number of others who went through these trainings merit a detailing of earlier events where this group of NYSUT activists learned how to meet the challenges of union leadership.

NYSUT activists in this group report a number of different times, places, and situations that compelled them to act. A president of a small local in a rather remote part of the state described that the Race To The Top process pushed him towards action. A second small local president told of how he tried to support the APPR deal when it was announced, and that he was a team player, but more senior members of his local helped him understand what the Agreement was, and he no longer felt the desire to be a team player, at least like that. These events occurred in 2010 and 2011.

Another mid-size local president from Long Island described how Education Commissioner King was feted in 2012 at the Buffalo Representative Assembly (RA)³⁰ by Mr. Iannuzzi only to leave after a 15 minute soggy presentation, leaving this person both fuming and associating Iannuzzi's efforts at that RA with Commissioner King's. Another local union official recounted how both the Buffalo delegation walked out at that 2012 RA and the Lancaster local stood outside in the cold rain protesting that NYSUT allowed the Commissioner of Education to join

²⁹ The "LI" is a five day summer training with integrated teaching undertaken initially by Cornell ILR and NYSUT staff. Hundreds of NYSUT leaders have gone through this training which began in 1997 or 1998, and continues until the present, but without Cornell involvement over the past 5 years. The "ULI" is an AFL-CIO joint project with Cornell ILR staff doing much of the teaching and involves placing 35 or so leaders from the public and private union sectors together for a 12 month period that involves more than 20 training days. A key curricular objective in the ULI seeks to show young leaders how to create cross-union ties and develop proactive leadership characteristics within their own unions.

³⁰ RA's or Representative Assemblies are the annual meetings of NYSUT representatives from all over the state and during statewide election years it is at this formal meeting that the actual election of new officers, as it did in 2014, takes place.

“our” meeting. This gentleman related that he now knew what the ULI teachers meant by taking direct action, be it walking out or “witnessing” one’s dissent in the rain, and for him there was no turning back.

Nearly all of these and other activists interviewed reported some disconcerting perception about what happened in Buffalo³¹. A number used words such as “Why are they (the leadership) signing off on something (APPR) that is so disrespectful to us”, and “Dick is just too close to King” (the state Commissioner of Education). The bottom line to how they felt was best summed up: “They just don’t get it”. The Buffalo RA left a very sour taste with many, and for a number of local leaders, even if they did not say it out loud³², they started to move in another direction.

Shortly after Buffalo one activist remembered that some loose talk about “doing something” began, and those most reluctant to go against the leadership reminded others to be cautious, stressing that “some of us” (meaning dissenters) had been elected to the Board of Directors, and that NYSUT did sue the state DOE and won the first round of the APPR lawsuit³³. Still, the more militant of the activists, influenced by their worried rank and file teacher friends, found the leadership’s efforts simply not enough.

As one local president aptly stated:

“Whatever the NYSUT leadership tried, legally, politically, internally, it was not very clear, and it rarely worked. I believe their intentions were always good, but their communication, messaging, and strategies were just not sound.”

More than isolated internal realizations amongst a growing number of dissenters occurred in Buffalo’s aftermath. It was the unmistakable though still informal start of the split from the incumbents, a fracturing within NYSUT, the beginning of the end of being angry without a plan, and the halting of the feeling, “I am tired of continually lying down.” These frustrated rank and filers sought to answer the question they posed: “When are we going to start to deploy our strength?” The answer lay in the future, in challenging the leadership, and gradually they struggled to put together a process that resulted a year later in the creation of a formidable rank and file driven movement accompanied by a set of their own who were ready to lead.

³¹ One insurgent volunteered that prior to Buffalo when the dissenters got together, they at times discussed the meaning of the Occupy Wall Street movement, and what it suggested to them as NYSUT activists. This rank and file leader expressed that the later, 2013 mobilization efforts to restore the 5th statewide leader, discussed infra, was in part influenced by what the dissenters learned from the Occupy partisans.

³² One phrase that a few rank and filers did murmur to each other, in a give and take meeting afterwards, was that what occurred in Buffalo, “....radicalized me”.

³³ This particular lawsuit, referred to in ft. nt. 26, was aimed, successfully, at the Commissioner and the DOE who had wrongfully increased the APPR’s emphasis on test results in teacher evaluations, and the NYSUT litigation victory halted the DOE’s ability to use that interpretation of the state statute.

But for now they took “baby steps”, as one of the LI/ULI rank and filers took charge of communicating with other dissenters by Facebook; a second was in charge of Twitter communications; and a third was the writer of “manifestos”, the internal propagandist. Meanwhile, all of them realized at a deeper and deeper level that they were making real connections and they were not alone. None thought that “we have a seat at the table” was sufficient, especially in view of what it really meant, and some felt that “maybe it would be better to flip the table over”.

Such changes in political consciousness can create a fibrous political reality that often can meet the toughest challenges ahead, and that was true here. Ironically, while these connections were beginning to happen in mid-2012, one of the key leaders reported that these internal developments were everyone’s focus, but an electoral challenge to the officers “...was not on any of our radar screens.” It is critical to remember that there had never been a contested election in NYUT’s history! The caution of these dissenters reflected this political understanding, and for quite a while they did not think their “organizing” was focused upon challenging that powerful history.³⁴

Still, they were busy. One of these activists, Martin Messner³⁵, later to become NYSUT’s treasurer in 2014, in September 2012 reminded his insurgent colleagues that lost in some of the other griping about the Buffalo RA earlier that year was a passed constitutional proviso that would essentially result in one less statewide NYSUT officer by approximately 2016. Martin argued that with all kinds of difficulties facing especially smaller and small rural and upstate locals, it was senseless to lose a skilled helper like an elected officer who was designated to help these locals.

After learning how to get a NYSUT constitutional change reversed, he organized many of these same dissenting colleagues written about in this section of the report who went all around the state to get petitions signed asking to have this matter placed on the next RA’s agenda. They needed 100 signatures to do this, but they gathered more than 1300 signatures across the state,

³⁴ Although the sentence in the text here is accurate, it is worth mentioning that a seed was also planted at the Buffalo RA by former NYSUT Vice President, Alan Lubin, who told a couple of these activists, in the midst of their angry frustration, “If you are not satisfied with the officers’ performance, never let them run an election uncontested”. No one was prepared, in even an inchoate manner, to act on this for a long time, but the mentioning stuck with some of the rank and filers who heard it.

³⁵ Further research of Mr. Messner’s role in this process revealed that he actually began to make plans to “push NYSUT from the bottom as early as the Detroit AFT Convention in 2011, when he broached with Alan Lubin the subject of creating a separate Upstate Caucus to fight the leadership. Lubin advised Messner that however he proceeded, keep his proposed “structural change” inside the UNITY Caucus of NYSUT. The fact that Lubin was not discouraging was more than significant as it validated Messner’s internal and increasingly external restlessness and surely influenced Martin Messner to believe then he was on the right even if a lonely track.

including Long Island. No one from New York City³⁶ was asked to sign the petition due to the sensitivity of this being an upstate matter. The ULI³⁷ activists looked at this as their first internal organizing drive within NYSUT and were buoyed by its success.

One particularly reflective activist who attended the ULI described his understanding of their success as a process that began with the Buffalo RA in 2012:

“I could not stop thinking about the Lancaster teachers standing out in the rain, taking direct action, explicit and overt in their opposition to (King being at the RA), and I asked myself, shouldn’t we be standing with them? Shouldn’t we make our private conversation more explicit?”

Reflecting on all of this over the next few months forced me into a more militant stance, as my thinking changed about what we needed to do. I understood when Martin Messner came to me in the Fall, asserting a strategic vision for NYSUT through this “adding back our officer” campaign, that it was a way for us to implement what we had been talking about, and we just did it.”

In gaining the signatures, of course, they also managed to talk to rank and file members throughout the state, and those who signed the petitions also learned that many others shared their frustration with the Iannuzzi team. They, like the dissenters a few months earlier, also learned that they were not alone.

But this “adding back one officer” drive yielded more than the signatures and a sense of success. The effort identified any number of additional regional activists and later these folks assumed critical importance.

Meanwhile, a significant division in the leadership, in existence for a while, but not particularly noticeable, became manifest. Vice President Andy Pallotta, always friendly to the dissenters, was becoming more distinct from the Iannuzzi team, and this “5th officer” campaign seemed to separate him more, and publicly, from the leadership team. The insurgents could not believe what was occurring. How could this be? One of the incumbent leaders who they did respect was subtly communicating that what they thought and observed and felt and resisted made sense! Who could ask for more?

Well, the dissenters wanted more, as they wanted the 5th officer constitutionally restored at the Washington, DC, RA, in the spring of 2013. The ‘5th officer cadre” through the end of 2012 now included Paul Pecorale, later to become a key Long Island operative on the REVIVE slate, who

³⁶ The UFT did not assist in the petition drive, but supported Messner’s efforts at the 2013 Convention.

³⁷ Internal union organizing was a skill that was taught at both the LI and the ULI.

along with Sonia Basko from Pennfield and many of their ULI and LI colleagues had fanned out around the state as part of this petition process. Pallotta's subtle support became more visible, and although there was not an open split at the 2013 RA with Mr. Iannuzzi, the insurgents, with backing from the UFT³⁸, asserted their increasing organizational skills and power and forced the incumbents to agree at that RA in Washington, DC to review adding back the 5th officer, if affordable. Part of the resolution also included allowing insurgent representation on a committee that would review NYSUT's finances to determine the feasibility of "returning" the 5th officer.

These results were an unmistakable win for the insurgents. They interpreted the concessions as reflecting their ability to "feel the members' pulse" and convert their views into an issue that directly dealt with the rank and file's frustration with their current leadership. It also demonstrated the weakening of Mr. Iannuzzi's support, they believed, and that the rank and file anger might actually be able to be turned into something more. The buzz in and amidst the rank and file leaders who attended NYSUT and AFL-CIO Leadership Institutes and their colleagues was, does this mean we may have the capacity to take on the sitting leadership in an election? Increasingly, they answered, yes.

What the activists also started to understand was that alignment with Mr. Messner on this constitutional fight meant further distancing of themselves from all of the incumbents save for Mr. Pallotta. They had noticed at the organization's April 2013 state-wide meeting that the Executive Board of NYSUT was apparently split, but these young local leaders had never seen a schism in NYSUT, and in fact phenomena like "leadership splits" like this rarely occurred in the past. Recognizing this, many of the "now becoming dissents" internalized what they observed as, "Hmm, if this Vice President who we respect is outside the leadership, maybe we should consider joining him "out there". Seeing and experiencing Mr. Pallotta in this way whether they knew him or not played a role in the summer of 2013 in convincing many that "I guess it is time to take a further step".

Despite this two school year turmoil that stretched the patience and well-being of thousands of NYSUT members, by the late Spring of 2013 only a handful of angered local NYSUT members seriously considered that the Iannuzzi team needed to be replaced. Iannuzzi and VP Maria Neira undertook a "listening tour" across the state earlier in that school year and the reports from so many were that very few thought they listened. Many who heard them speak were again

³⁸ Throughout this fight, as noted earlier, the incumbents often characterized through their supporters and at times by their own remarks that teachers like Messner, Paul Pecorale from Long Island, and of course Karen Magee, were stalking horses for the UFT who sought to take-over NYSUT. This writer followed every one of these "explanations" wherever it went, and could find no support for this complaint. The "5th officer campaign" and UFT's support for the insurgents' efforts in the Spring of 2013, which would **DECREASE** the UFT's strength on NYSUT's officer Board to 2/5ths from 2/4ths is a good example that the incumbents' shrillness in baiting the UFT was just that. Candidate, now NYSUT president, Magee pointed this out a number of times on the campaign trail in early 2014.

reminded that his team really had no plan to change what was occurring to teachers across the state. A number of those who felt that way found themselves mumbling to each other, quietly, “I hope someone runs against him (them)”.

As the 2013 school year ended in June, Mr. Iannuzzi’s team called for a statewide rally on June 8 to protest the myriad of problems that the union was having with the state DOE. The turnout was quite strong, showing that NYSUT and the Iannuzzi leadership surely had this capability, and for many members convening this event helped to restore some confidence in the incumbents.

The themes were primarily “let teachers teach” and demanding that the DOE stop the pernicious, excessive testing of New York’s students. The rally was noticeably inspirational for teachers to see so many students and parents stand with them. For many teachers, the “internal business” that they were experiencing these horrors alone was now lifted.

Despite these positives, the rally surprisingly played out, in part, against the incumbents, as many who attended asked, why have we not been fighting back like this over the last 2 years? Others experienced the end of “feeling this stuff alone” as the beginning of getting more engaged with their friends and their own locals and talking with others across the state who had the same doubts about the then current leadership. One blogger, positive about the rally overall, but quite critical of NYSUT, summarized the ferment he experienced this way:

“The energy was decidedly electric, and it was clear why all of those people were standing in the crowd. They were there for the freedom to teach the kids they care about in the best ways they know are possible. They all agree on one important fact: high-stakes testing is the absolute worst way to teach and, for kids, the absolute worst way to learn...But, there was a quality to this rally that made the more, how shall I say, *cynical* among us pay close attention.”³⁹

The “edginess” reflected in these comments was very common amongst the NYSUT insurgents, and when the leadership failed to offer a post-rally game plan, the shine from the rally not only dimmed, but many rank and filers began to think that being a good NYSUT foot soldier was not sufficient, either for them, their Local, or for NYSUT. It reminded many that failing to identify “an actionable step to take made this just a feel good moment”⁴⁰. If the rally slowed some of the Iannuzzi opponents down, it galvanized others, and during the summer of 2013 a focus on the 2014 statewide election began.

³⁹ This quote was taken from the blog site, **atthechalkface**, <http://atthechalkface.com/2013/06/09/reflections-on-the-one-voice-rally-in-albany/>. Although this particular writer was not interviewed for this Report, the sentiments quoted above mirror the substance of many of those so interviewed.

⁴⁰ This quote came from one of the activists who attended both the ULI and the LI trainings. That teacher said that this was a notion that stuck with him from the ULI trainings in particular, and he felt this way in the aftermath of the June 2013 rally.

What Occurred During The Electoral Challenge

The incumbents' inability to convert the June 8 demonstration's enthusiasm into some kind of a "call to arms" forced the activist's hand. They had to act before the new school year began, and the conversations turned towards an electoral challenge. They saw the continuing reluctance to move by the then current leadership as a prompt- they must pursue the leadership if they were going to get the union and its members out of this hole. When Mr. Iannuzzi was asked about why there was no noticeable follow-up to the June demonstration, he explained that the DOE had responded to the strong political presence of the June 8 demonstration and were open to more candid exchanges about some of the problems that NYSUT raised. Although certain progress was made after the rally, opponents did not perceive any changes of real substance throughout the summer, and Mr. Iannuzzi's hope to get some of the organization's problems addressed, if not solved, never materialized in the eyes of his opponents. The lack of visible external movement, however, hurt Mr. Iannuzzi, as it strengthened the insurgents' belief that they needed to capture and strengthen the leadership of their uncertain organization.

These developments caused the networks of dissenters to tighten up their internal, organizational work. They began to diagram how to proceed state-wide. They tested specific areas of the state and members' feelings and continued to learn that while there was true loyalty and support for the incumbent leaders in these tough times, there were remarkable and increasing pockets of support for a change in leadership. Emboldened, they did number crunching, they tried to determine who and what they needed to do in terms of gaining locals' support in order to win. Could they gain the trust of the big Upstate and non-New York City locals, Buffalo, Rochester, Syracuse, and Yonkers? What would the UFT do? And, what about the higher education locals, PSC and UUP, who held a large number of delegate votes?

What the insurgents initially learned was that there was strong rank and file support for challenging Mr. Iannuzzi, but others on his leadership team were often viewed more favorably. The challengers did not know how to approach this contradiction and simply continued with their thinking that a change at the top was needed.

While these assessments were taking place, it seemed to many that the leadership was still hesitant to take on Commissioner John King and the DOE. Parents continued to organize around the state and demanded the removal of King and halting the "excessive" testing that was tied in their minds to King and the Common Core and lots of stress in their homes. The insurgents were often aligned with these activist parents and felt NYSUT should be, too. They pushed this issue, writing a letter "from below" signed by nearly 100 locals, calling for King's resignation. Throughout the Fall of 2013 and early winter Mr. Iannuzzi's leadership team opposed this action by the rank and file, publicly, and only changed their view of what to do about King after the REVIVE NYSUT slate was formed in late 2013/early 2014. The slate formed included Karen

Magee running for President, backed by a full complement of officers, Andy Pallotta, Catalina Fortino, Martin Messner, and Paul Pecorale. They had decided to challenge the entire Iannuzzi leadership team.⁴¹

Formation of the slate was more an uneven than smooth process guided by New York City interests, as supporters of the incumbents repeatedly charged. In fact, the only significant UFT involvement in the formation of the REVIVE slate was their failed effort to convince their long respected UFT in origin incumbent NYSUT VP, Maria Neira, to join the insurgents. Ms. Neira spurned the UFT's request and elected instead to stand for re-election with Richard Iannuzzi and her incumbent officer colleagues.

Meanwhile, a former UFT officer, Alan Lubin, now retired from NYSUT as executive vice president, did facilitate in the slate's formation. As that was occurring, out of the ranks of the insurgents came Pennfield's president, Sonia Basko, who many described as a key facilitator in the formation of the REVIVE slate as well. Both of these persons and others interviewed reported a similar story- it was hard to find an Iannuzzi critic who specifically sought to take his job. While Andy Pallotta was certain to run for the vice-president's position, and others sought state-wide office, the leader of the ticket was not determined until the end of 2013, just three months prior to the election in early April, 2014.

In those late fall and early winter months of 2013, Lubin and Basko felt the insurgents' leaders out concerning their interests. Pallotta, a possible presidential candidate, could not step forward as president, as the cultural and political reality of NYSUT since its inception was that a UFT officer or member could not hold the presidency.⁴² Still, he wished to run again as the executive vice president, and his interest and experience, let alone his outlier status, matched the needs of the insurgents' concerns. More specifically, when Mr. Pallotta was asked about these things, and in particular why he "fell out" with the Iannuzzi leadership team, he stated:

"Officers are elected to represent membership. To do that correctly we have to involve them and listen to what they say. The incumbents' top-down defense of the status quo opened my eyes to the fact that we needed to support change, change for the benefit of the members and not ourselves."

⁴¹ During the December 1, 2014 interview with Mr. Iannuzzi he explained his initial reluctance to call for King's resignation while noting that he often was critical of the Commissioner's actions or policies. He stated there were meaningful negotiations ongoing with the state DOE about matters that could be helpful to NYSUT's locals, and he did not wish to jeopardize them by calling at that time for the Commissioner's resignation. In January of 2014 he joined with award-winning school principal Carol Burriss in writing a very thoughtful Op-Ed which was deeply critical of Commissioner King and the DOE's approach to Common Core, testing, and the approach taken to date (then) about teacher evaluations.

⁴² The history and details of this piece of NYSUT's history is well-documented in the valuable writings of Dennis Gaffney, *Teachers United: The Rise of New York State United Teachers*, SUNY Press, 2010;

Martin Messner, president of the rural, modest-sized Schoharie local union, exhibited strategic brilliance and consistent leadership throughout this several years fight. His battle-tested makeup coming out of the constitutional fight made him a logical candidate, especially for Treasurer, as along the way he took time to learn what he could of NYSUT's financial complexity.

Paul Pecorale's elevation to NYSUT Vice President on the slate also made a load of sense. He was perhaps the most involved of the young insurgents in the labor movement, both locally and state-wide, and he maintained a strong, active presence amongst NYSUT locals throughout Long Island.

When Maria Neira decided to remain with the Iannuzzi slate, the UFT advanced one of their own, as they had for 4 decades⁴³, Catalina Fortino, to the insurgent slate as another Vice President. Ms. Fortino, although late to the REVIVE team, had strong expertise in school and curriculum matters, as she headed the Teachers Center in New York City. According to a number of observers, her humble but effective communication skills were invaluable in the debates that occurred in front of teacher audiences across upstate New York from late January until the election itself in early April.

Filling the presidency spot was tough. Karen Magee, like Paul Pecorale, had extensive county and state-wide involvement in the labor movement. While president of her mid -size Harrison local (Westchester County), she had been a constant critic and even public challenger of the Iannuzzi administration. She had sturdy internal credentials from her appointment with the Teachers Retirement Board, and she understood pension finances as well as member frustration. She was especially effective in her visible criticisms of the deficiencies in the incumbents' leadership. Still, she was reluctant to accept being the presidential candidate, and mulled over that decision until late December, 2013. When she decided that running for president made sense for her, it was the "go" that the slate formation needed. In discussing why she ultimately decided to leave her small local and her excellent position in the backdrop of the organization with the Retirement system, Ms. Magee stated:

"I could not justify standing safely to the side and watch NYSUT lose its verve. I really felt that I had to step up to the challenge or step aside. I chose the former."

Thus, the REVIVE slate took shape. By January 1, 2014, it was all but complete (with Ms. Fortino actually joining up several weeks later), and the first contested election in NYSUT's history was to begin.

⁴³ Interestingly, despite the constant carping about the UFT "using" the REVIVE activists to take over NYSUT on behalf of the UFT, the Iannuzzi supporters ended up nominating a UFT member who opposed the insurgents leadership for their candidate to take Pallotta's spot as a NYSUT vice president.

With more than 1300 local unions, and important UFT representatives (at the election itself in April of 2014, the UFT delegates not only cast more than 30% of all the votes for each office, but they voted all of their votes for the REVIVE slate) on each slate, one might logically think this race would be a nail biter until the moment of voting. It wasn't, and here is why.

In a blog post by an apparently union unfriendly commentator, Mike Antonacci,⁴⁴ on January 30, 2014, with the campaign only a few weeks old, he explained that Karen Magee and REVIVE had the election virtually sewed up even before Buffalo, Rochester, Albany, Syracuse, Yonkers, or the PSC (Professional Staff Congress, New York City's higher education affiliate that has members at the City University, the city's community colleges, and other locations) endorsed them. That was because, Antonacci wrote, the UFT (holding about 1/3rd of all votes) and the United University Professionals' (SUNY campus higher education affiliate) January 2014 endorsements of the insurgents made the REVIVE slate virtually unbeatable. Within a few short weeks of the Antonacci and Capitol Confidential articles, many of these large Upstate locals endorsed the REVIVE slate, as did the Professional Staff Congress.⁴⁵

These endorsements and their structural impact upon the election raise a powerful irony. Sure, the push, shove, leadership, courage, media communications, and strategic election skills were almost entirely marshalled by rank and file leaders from upstate New York. Meanwhile, it was their ability to secure the mostly New York City and higher education locals (the UFT, PSC, UUP) very early in the fight that seemed to make it compelling for the bigger upstate locals (Syracuse, Buffalo, Rochester, and Yonkers) to later join with the REVIVE slate. The battle for the much smaller and differentiated upstate locals continued for the months leading up to the election, and in fact the Iannuzzi leadership team won more than 50% of the locals, statewide! But the nature of NYSUT's voting scheme, never before tested, meant that the election was over before many of the upstate, smaller locals even addressed who to endorse.

This constitutionally mandated "weighted voting" phenomena was central to the insurgents' focused strategy as to these big locals, but they continued an omnipresent "chatter" presence on Twitter, Face Book, email, and old fashioned written position papers advancing their reasons for running to their upstate and Long Island colleagues. A true irony of the election was that except for the big city upstate locals mentioned, for the most part the Iannuzzi forces prevailed upstate

⁴⁴ <http://www.eiaonline.com/intercepts/2014/01/30/iannuzzi-is-toast/>. Although Mr. Antonacci's comments were criticized by Iannuzzi supporters, his writing in this blog entry is consistent with the interviews this writer conducted, especially as to the timing and meaning of various endorsements. It is also consistent with a story published in Capitol Confidential at that time. <http://www.capitalnewyork.com/article/albany/2014/01/8539552/nysut-president-loses-ground-divisive-election-nears>.

⁴⁵ Although the campaign and debates of all of the candidates and slates continued, the numbers favoring the REVIVE slate did not significantly change. Different members of this slate won their elections by different percentages, but President Magee was elected with approximately 61% of the "weighted vote".

and on Long Island, in terms of the number of locals they won, but they were still soundly trounced.

Differing explanations were advanced for REVIVE's strategic outmaneuvering of the incumbents. The common belief was that the insurgents, as mentioned earlier, were a stalking horse for the UFT which sought to "finally" take over NYSUT. Others suggested that this early New York City support was predicated upon the desire of the UFT, with REVIVE Executive Vice Presidential candidate Pallotta's help, to secure NYSUT's endorsement of Governor Cuomo. One saw comments like these and similar ones on blogs and other communications across the state, but our research told a different story.

The UFT did not endorse Cuomo in the state primary in September of 2014, although they were part of his endorsement when the union consortium prevailed upon the Working Families Party to endorse Cuomo in June of 2014. Queries posed to downstate and upstate NYSUT leaders concerning the charges made against the UFT and its takeover ambitions revealed a very different perspective. The UFT had supported the early work of the REVIVE slate that sought to restore the fifth statewide officer in 2012, but every official who described this situation explained that the UFT would have less power with 5 statewide officers than with four and they still chose to support the insurgents' position. When pointedly asked why did the UFT endorse REVIVE, a leader who was present for the endorsement meetings explained that they heard increasing criticisms over an extended period of time from a wide range of upstate and Long Island leaders about the incumbents' inability to address, let alone solve the problems their members faced. Without providing specifics, this interviewee left this writer with the sense that the incumbents lacked a vision for how to get out of the mess that the teachers were in, and that, coupled with their inability to listen to suggestions that were coming from all quarters of the organization, made the UFT believe that a change, even if coming in a contested election, was necessary.

Interviews with the New York City and state higher education presidents (PSC and UUP) did not occur in this research that led to this report, but conversations with leaders close to those officials revealed a similar lack of confidence in the incumbents' vision as well as leadership skills. They just do not seem to listen, to the teachers or the higher education officials, and our complaints are actually very similar, said one PSC official. What was clear, too, is that the REVIVE leadership early on promised that they would request an additional higher education representation seat on the NYSUT Board of Directors, and that was an important promise to make to these affiliates. This writer reviewed the numerical requirements for Board representation and based upon those requirements they were eligible to be considered for another seat. That is not how Mr. Iannuzzi's supporters saw this, and they railed against this type of politicking.

Ultimately, however the numbers added up, and the UFT, the higher education affiliates, and the large upstate locals would not have bucked a five decade tradition of “no contested elections” unless they experienced a similar set of frustration with the incumbents’ leadership. They chose to support the Revive slate for reasons similar to that explained by many NYSUT members- the Iannuzzi leadership team did not meet the challenges posed and there needed to be a change at the top.

A Final Observation About Mr. Iannuzzi And Mr. Pallotta

All in all this was a surprisingly tame union election campaign even if it was NYSUT’s first such experience. There were no charges of corruption or stealing or misappropriation of union funds. The REVIVE slate did complain about Mr. Iannuzzi’s “costly” membership in an upper class, exclusive (and historically excluding) Albany eating club, and Mr Iannuzzi’s STRONGER slate complained about Mr. Pallotta’s “unauthorized” expenditure of monies to buy tickets to a Governor Cuomo fund raiser. Both of these charges received a lot of social media and blogging attention, but seemed to have little impact upon the race. Personal ambitions, often the seed that sparks union contests, were also not in play, but there were serious “personal” difficulties between these leaders, explained below, that touched on who would be the primary face of the organization with the state’s politicians. In a number of ways, as described throughout this report, sharp policy, tactical, and political differences emerged that divided these two leaders. Given these givens, an electoral challenge was inevitable.

The schism that occurred between Mr. Pallotta and Mr. Iannuzzi, as best can be reconstructed, surely had to do with the aforementioned policy and other disagreements, but they also were caused by Mr. Iannuzzi becoming more involved with the Legislature and even the Governor’s office than the previous president. That type of “political/legislative” activity had previously been the domain of the Executive Vice President (formerly Alan Lubin, now Mr. Pallotta) under Mr. Iannuzzi’s predecessor, Tom Hobart, but Mr. Iannuzzi felt as president that he needed to and would be more involved in the political processes in Albany. From a number of interviews with leaders on both sides of this question plenty of fireworks resulted from this change. Mr. Iannuzzi saw the change as necessary, in order for NYSUT to reposition itself with the Legislature, and somewhat with the Governor, but Mr. Pallotta experienced it differently, and that critical disagreement led to others that were never solved by these men.⁴⁶

Certainly Pallotta played a significant role in the creation of the REVIVE slate, and his position and experience counted for a lot. But those who claim that he started this challenge, or that he started it on behalf of the UFT, are mistaken. The creation of the REVIVE slate occurred due to

⁴⁶ Although this “disagreement” warrants more development than we see here, it was tough to get more specifics. In the event this research is expanded, this will be an important area to better understand.

the year after year failure of the incumbents to stem the political tide running against the teachers in New York. As written previously in this report, many teachers believed that the incumbents did not seem to hear or listen to or act upon their increasing concerns.

There is no disputing the teachers' experiences during this period, but Mr. Iannuzzi explained that this was hardly what he intended. He counted on his Board of Directors and regional leaders to "listen" to the rank and file, "explain our message" and to "respond", but many did not. The former president explained that although he retained the support of many of these historic NYSUT presidential allies, others were actually more responsive to the opposition in the rank and file than to the incumbents because it was the former who elected them.

This was a powerful observation, as it demonstrates how much more difficult it was for the affiliate-based NYSUT leadership to navigate the rank and file's frustration with all that was happening than it was for the UFT, which was a single, consolidated local union entity. Mr. Iannuzzi's other "ace in the hole" for protecting the members during these convulsive times, collective bargaining about the legislative changes creating teacher evaluation, excessive student testing, and reckless DOE imposition of the Common Core standards, worked somewhat, but not enough to allay the rank and file fears and disappointments.

Thus, the rank and file of NYSUT was left with their sense of helplessness, and when they went up the chain to get help, the "assurances" they received were no longer convincing from the incumbents, "it could have been worse if we were "not at the table", while they steadily gained tacit and then more support from powerful regional leaders whom they elected. The state-wide leaders' responses, such as they were, meant little to teachers whose sense of dread of their beloved profession intensified with no end in sight. Something had to be done differently, it wasn't, and this deteriorating situation compelled rank and file teachers to step up, join with the marginalized Pallotta, and do something unthinkable- challenge the incumbents.

All of these elements comprise the most cogent explanation for why NYSUT had its first contested election, and the insurgents shrewdly surprised the incumbents by using NYSUT's weighted voting structure to succeed. None of this was supposed to happen, but it did.

What this all means is still tough to say. Surely it means that these historic statewide or even national union elections may cease to be perfunctory in the future. The traditional understanding of school teachers as an apolitical, disinterested group, only concerned with their classrooms may now be, hopefully, forever debunked. If state and national leaders are not able to step up to the fracas and challenges posed by the forces that wish to privatize and/or otherwise harm public education by blaming school teachers, this NYSUT election reminds all that political alternatives are available for those who teach our children. And, as incumbent union leaders in public education have learned in the past few years, the rank and file members of teacher unions are becoming increasingly effective in seeking to get their actual needs met.

These are all historic and progressive historic developments for educational workers and those who care dearly about ensuring that the power to shape public education remains in local communities and not elsewhere. But the real struggle for power is just starting, and those who wish to commandeer public education for private gain are for now with the upper hand.

Whether rank and file efforts to control the leadership of educational unions is able to offset the vast economic and increasing political power that the forces of so called “education reform” bring to this struggle is unknowable. The battle has surely begun, and those who choose to fight this way will have the NYSUT story to embolden them. Teachers everywhere can be very proud of what occurred in New York, as it further reminds us that hope is indeed surprising and available.



The researcher for this article, **Lee H. Adler**, has been an attorney for rank and file coal miners, school teachers, indigent Appalachians, and New York state fire fighters over his 40 years as a lawyer. His educational work at Cornell University's prestigious ILR School, with NYSUT, has included many years teaching Leadership and workplace strategies to up and coming school teachers and educational workers across New York State.

Adler's effort on this Project reflects his recent focus on the attacks on public education and public school educators which includes the development and delivery of Cornell's only graduate/undergraduate course that addresses these critical public policy and political concerns from the viewpoint of educational workers, students, and public school parents.