

700 NYC teachers are paid to do nothing

AP Associated Press

By KAREN MATTHEWS, Associated Press Writer
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NEW YORK – Hundreds of New York City public school teachers accused of offenses ranging from insubordination to sexual misconduct are being paid their full salaries to sit around all day playing Scrabble, surfing the Internet or just staring at the wall, if that's what they want to do.

Because their union contract makes it extremely difficult to fire them, the teachers have been banished by the school system to its "rubber rooms" — off-campus office space where they wait months, even years, for their disciplinary hearings.

The 700 or so teachers can practice yoga, work on their novels, paint portraits of their colleagues — pretty much anything but school work. They have summer vacation just like their classroom colleagues and enjoy weekends and holidays through the school year.

"You just basically sit there for eight hours," said Orlando Ramos, who spent seven months in a rubber room, officially known as a temporary reassignment center, in 2004-05. "I saw several near-fights. 'This is my seat.' 'I've been sitting here for six months.' That sort of thing."

Ramos was an assistant principal in East Harlem when he was accused of lying at a hearing on whether to suspend a student. Ramos denied the allegation but quit before his case was resolved and took a job in California.

Because the teachers collect their full salaries of \$70,000 or more, the city Department of Education estimates the practice costs the taxpayers \$65 million a year. The department blames union rules.

"It is extremely difficult to fire a tenured teacher because of the protections afforded to them in their contract," spokeswoman Ann Forte said.

City officials said that they make teachers report to a rubber room instead of sending them home because the union contract requires that they be allowed to continue in their jobs in some fashion while their cases are being heard. The contract does not permit them to be given other work.

Ron Davis, a spokesman for the United Federation of Teachers, said the union and the Department of Education reached an agreement last year to try to reduce the amount of time educators spend in reassignment centers, but progress has been slow.

"No one wants teachers who don't belong in the classroom. However, we cannot neglect the teachers' rights to due process," Davis said. The union represents more than 228,000 employees, including nearly 90,000 teachers.

Many teachers say they are being punished because they ran afoul of a vindictive boss or because they blew the whistle when somebody fudged test scores.

"The principal wants you out, you're gone," said Michael Thomas, a high school math teacher who has been in a reassignment center for 14 months after accusing an assistant principal of tinkering with test results.

City education officials deny teachers are unfairly targeted but say there has been an effort under Mayor Michael Bloomberg to get incompetents out of the classroom. "There's been a push to report anything that you see wrong," Forte said.

Some other school systems likewise pay teachers to do nothing.

The Los Angeles district, the nation's second-largest school system with 620,000 students, behind New York's 1.1 million, said it has 178 teachers and other staff members who are being "housed" while they wait for misconduct charges to be resolved.

Similarly, Mimi Shapiro, who is now retired, said she was assigned to sit in what Philadelphia calls a "cluster office." "They just

sit you in a room in a hard chair," she said, "and you just sit."

Teacher advocates say New York's rubber rooms are more extensive than anything that exists elsewhere.

Teachers awaiting disciplinary hearings around the nation typically are sent home, with or without pay, Karen Horwitz, a former Chicago-area teacher who founded the National Association for the Prevention of Teacher Abuse. Some districts find non-classroom work — office duties, for example — for teachers accused of misconduct.

New York City's reassignment centers have existed since the late 1990s, Forte said. But the number of employees assigned to them has ballooned since Bloomberg won more control over the schools in 2002. Most of those sent to rubber rooms are teachers; others are assistant principals, social workers, psychologists and secretaries.

Once their hearings are over, they are either sent back to the classroom or fired. But because their cases are heard by 23 arbitrators who work only five days a month, stints of two or three years in a rubber room are common, and some teachers have been there for five or six.

The nickname refers to the padded cells of old insane asylums. Some teachers say that is fitting, since some of the inhabitants are unstable and don't belong in the classroom. They add that being in a rubber room itself is bad for your mental health.

"Most people in that room are depressed," said Jennifer Saunders, a high school teacher who was in a reassignment center from 2005 to 2008. Saunders said she was charged with petty infractions in an effort to get rid of her: "I was charged with having a student sit in my class with a hat on, singing."

The rubber rooms are monitored, some more strictly than others, teachers said.

"There was a bar across the street," Saunders said. "Teachers would sneak out and hang out there for hours."

Judith Cohen, an art teacher who has been in a rubber room near Madison Square Garden for three years, said she passes the time by painting watercolors of her fellow detainees.

"The day just seemed to crawl by until I started painting," Cohen said, adding that others read, play dominoes or sleep. Cohen said she was charged with using abusive language when a girl cut her with scissors.

Some sell real estate, earn graduate degrees or teach each other yoga and tai chi.

David Suker, who has been in a Brooklyn reassignment center for three months, said he has used the time to plan summer trips to Alaska, Cape Cod and Costa Rica. Suker said he was falsely accused of throwing a girl's test sign-up form in the garbage during an argument.

"It's sort of peaceful knowing that you're going to work to do nothing," he said.

Philip Nobile is a journalist who has written for New York Magazine and the Village Voice and is known for his scathing criticism of public figures. A teacher at Brooklyn's Cobble Hill School of American Studies, Nobile was assigned to a rubber room in 2007, "supposedly for pushing a boy while I was breaking up a fight." He contends the school system is retaliating against him for exposing wrongdoing.

He is spending his time working on his case and writing magazine articles and a novel.

"This is what happens to political prisoners throughout history," he said, alluding to the Rev. Martin Luther King Jr. "They put us in prison and we write our `Letter From the Birmingham Jail.'"