

December 27, 2016

VIA OVERNIGHT DELIVERY

MaryEllen Elia
New York State Commissioner of Education and
President of the University of the State of New York
New York State Education Department
89 Washington Avenue
Albany, New York 12234

Re: Buffalo School Board Member Carl Paladino, Park District Representative

Dear Commissioner Elia:

On behalf of the NAACP Legal Defense & Educational Fund, Inc. (“LDF”), I write to register my alarm about the comments recently made by Buffalo School Board (“Board”) member Carl Paladino regarding President, Barack Obama and First Lady, Michelle Obama. Specifically, a December 22, 2016 *Artvoice* article reported that Mr. Paladino wished death by mad cow disease upon President Obama and stated that he would like the First Lady “to return to being a male and let loose in the outback of Zimbabwe,” among other incendiary comments. These statements are unambiguously racist, barbaric, unpatriotic, and wholly inappropriate for a person responsible for the educational direction of any school district, much less a school district as diverse as Buffalo’s. Therefore, LDF demands that you remove Mr. Paladino from the Board.

LDF was founded by Thurgood Marshall in 1940 and is the nation’s oldest civil rights legal organization. LDF has fought since its inception to eliminate racial barriers from all aspects of American life and create a more just, fair, and inclusive democracy. LDF has worked to combat racial discrimination in public schools especially, including in the seminal case *Brown v. Board of Education*, LDF’s most celebrated victory. Our commitment to racial equality in schools endures today because, notwithstanding *Brown*, public school children are more racially isolated now than at any point in the past four decades. Of the over 200 school desegregation cases open on federal dockets, LDF is prosecuting nearly 100 of them.

The Board is charged with safeguarding the rights of all students and promoting a safe and healthy environment in which students are treated respectfully by everyone in the school community. In pursuit of these objectives, the Board has made several decisions that specifically impact children of color. For instance, the Board has committed to developing programs to teach respect for diversity within the school community and the community at-large. The Board has also resolved to eradicate harassment and teach the importance of trust and mutual respect; implement curricula which mirror the diverse profile of the school community and examine the history of discrimination and racism; and provide personnel training to help teachers and staff model the respect on which a safe school environment is based. According to its Code of Conduct, the Board must also ensure that students are afforded an environment that is free of fear and where diversity is honored.


Mr. Paladino’s conduct has repeatedly subverted these values. The December 22 invectives against the First Family are only the latest in a revolting series of racist and misogynistic statements made by Mr. Paladino. In December 2008, Mr. Paladino distributed an email entitled “Obama Inauguration Rehearsal,” which included a video of African tribesmen performing a traditional dance. In July 2009, Mr. Paladino distributed an email with a violent image captioned, “run ni[**]ers, run!” In September 2009, Mr. Paladino distributed an email entitled, “Easy Steady Big Fella . . . XXXX,” with a photograph that graphically depicts a woman having sex with a horse. In October 2009, Mr. Paladino distributed an email depicting President Obama as a pimp and Mrs. Obama as a prostitute. In January 2010, Mr. Paladino distributed an email containing a pornographic video entitled “Miss France 2008 F[***]ing.” In June 2015, Mr. Paladino complained about “damn Asians” and other “foreigners” attending the University at Buffalo. In April 2016, Mr. Paladino described Donald Trump as an “exterminator” and supporters of Mr. Trump – among whom he counts himself – as people who want “the raccoons out of the basement.” This abominable list goes on. And Mr. Paladino is completely unapologetic about his conduct. In a December 23, 2016 interview that aired on Time Warner Cable News Buffalo, he declared that “it’s time that these things are said.” According to *The Hill*, Mr. Paladino’s message for his critics is, “Tell them all to go f[*]ck themselves.”

Anyone who casually espouses such noxious and dehumanizing views is unfit to oversee the education of school children, especially in Buffalo, where most students are Black and the public schools are as segregated today as they were in the 1970s, despite a federal court desegregation order. According to *The Buffalo News*, approximately 70 percent of public schools in the city are now segregated.

Mr. Paladino’s race-based assessment of President and Mrs. Obama’s qualifications cannot be reconciled with his mandate to ensure that *all* of the children of Buffalo receive a quality education. To the contrary, Mr. Paladino’s racist tropes can and will have an especially insidious impact on Buffalo’s children of color, who will be expected to accept that someone who is entrusted with their educational development links blackness to inhumanity.

As of this writing, Mr. Paladino has refused to resign from the Board in the face of a groundswell of New York State residents, including many from Buffalo, demanding his resignation or removal. It is incumbent upon you, therefore, to remove him, as N.Y. Educ. Law. §§ 306, 1706, and 2559 empower you to do. If Mr. Paladino is not immediately held accountable for his conduct, and purged from the Board, he will have put the lie to the Buffalo School District’s mission to “ensure that every student will have the confidence, knowledge . . . character and hope” necessary to succeed, and tainted the credibility and respectability of the Board as a whole.

Sincerely,



Janai Nelson

Cc: Dr. Barbara Seals Nevergold (via email to BANevergold@buffaloschools.org)
President and Member-at-Large, Buffalo Board of Education