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**MEMO TO:** John King, Commissioner, NYSED  
Members, NYS Board of Regents

**FROM:** Philip Rumore, President, BTF

**RE:** NYSED APPR SIG Review Process

Teachers have come to the conclusion that regardless of the merit of our submissions, you will find another area with which to find fault because you have either targeted Buffalo Public Schools and our students or have no clear picture of what you are looking for (or both).

They feel as if they are being played with, manipulated, and being made the scapegoats for NYSED's lack of clarity and ever changing views and interpretations, and that NYSED is using our students as pawns as it plays, "Guess what I have behind my back".

We have worked cooperatively with the District for hundreds of hours only to, with each submission, have you find something new with which to find fault.

**Indeed, some of the areas you previously did not fault in submissions were identified as problems in subsequent submissions.**

For example, the Chart for High School teachers titled "School-wide Increase in % of Student's Receiving 5 Course Credits Towards Graduation", signed on 2/15/2012 was apparently not objected to until it appeared in the District's most recent (3/23/2012) submission.

In addition, the new requirement that the 3/23/2012 submission did not have but must add, i.e., "The 20 points shall be provided as determined by the Commissioner" to the paragraph under "20% Locally Selected Measure for Teachers of Grades 4-8 ELA/Math" was not a requirement when the exact same language in that paragraph appeared in the 2/15/2012 submission.

This was apparently done to clarify that we were not changing the scores provided by the Commissioner. Really, does language have to be inserted that clarifies that we cannot change the Commissioner's scores?

This is just a sample of the shifting interpretations you have forced upon us. This has been one of the most disorganized, nebulous, and bizarre processes in which I have ever participated. It is equivalent to a professor telling a class they will have a test on a lesson he/she had not taught and they just had to guess the answers.

We have been advised that the same complaint has been made by many other school Districts. The latest being from the Superintendent of the Williamsville Public Schools, which appeared in a recent *Buffalo News* article. (attached)

Indeed, I wrote to you on 3/14/2012 (enclosed) seeking a clear clarification of what you expected. To date, I have not even had the courtesy of a response, no less a clarification.

Buffalo Teachers are rightly angered.

We have submitted proposals on 2/03/2012, 2/15/2012, 2/27/2012 and on 3/23/2012 only to have them nitpicked apart with new hurdles put in place for us to jump over.

Most recently, upon the District suddenly being told that it must have a new plan to you four days before its March 29 hearing, we received a proposed MOU from the District on Friday, March 23. That MOU was finalized with the District just before your Friday, March 23, 4 p.m. deadline. In an effort to meet your deadline, BTF emailed the MOU to our teachers on that Friday evening so that they could review and vote on it prior to an emergency meeting of our Council of Delegates on Tuesday, March 27, only to find out at about 5 p.m., two hours before our Delegates meeting, that you had rejected this MOU.

Teachers have been presented with at least three MOU's, have had three building votes and three Council of Delegate meetings in order to secure this funding, only to have some new part found to be problematic.

There is no trust or confidence in the Department or Regents but rather anger, frustration and disappointment. Indeed, at our last Council of Delegates meeting on Tuesday, March 27, there was such anger, frustration and mistrust of you, the SED, and the Regents resulting from the above-cited actions, that it is clear that no new submission will receive the support of Buffalo teachers.

If you choose to withhold the SIG funding from the BPS, it will not be the fault of Buffalo teachers or the School District who have spent countless hours working diligently and cooperatively to jump over all the hurdles you have continuously put before us. The fault will be yours and the Board of Regents.

We believe that at the very least the first MOU submitted to you complied with the laws and regulations relating to School Improvement Grants and Race to the Top and that it should have been approved.

We will therefore be forced to proceed with litigation to secure these funds.

Enclosure (2)

*Buffalo News* Article

March 14, 2012 APPR Letter to Commissioner King