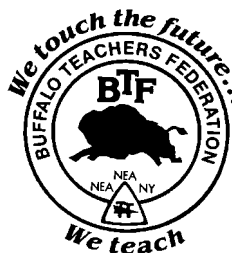


President's Report



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April 2012

Welcome back. Hopefully you had a restful spring break.

REVIEW OF APPR MADNESS

**Mid
December
2011**

New York State Education Department (NYSED) Commissioner of Education King issues edict that on December 29, 2011 all School Improvement Fund (SIG) funding (\$9 million – changed to \$5-6 million) will cease retroactive to September 2011 unless an Annual Professional Performance Review (APPR) plan acceptable to him is agreed to by the teachers, principals and School District.

NOTE: Governor Cuomo threatens to withhold State Education funding increases (an additional \$8 to \$14 million) if a new APPR is not in place in January 2013. He also threatens to submit his own teacher/principal evaluation plan (APPR) that would supersede the requirement that the APPR be negotiated by the Unions and School Districts.

Absolutely no information is given to school districts and unions relating to what exactly the NYSED Commissioner will accept and approve.

1/03/2012

Commissioner King/SED rejects the SIG submission of Buffalo and other 9 affected school districts citing 8 issues **but still gives no guidance as to what would be acceptable.**

1/04/2012

Even though the Commissioner had rejected the MOU, the Proposed MOU containing the APPR Appeals Process was e-mailed to all teachers. We wanted to ensure that the Appeals Process contained in it was approved by BTF since it was approved by the Commissioner.

1/19/2012

Council of Delegates approves a two page APPR MOU that was signed December 28, 2011 to meet December 29, 2011 deadline (contingent upon the Council's subsequent approval) stating that, a) The BTF will comply with the current law and negotiate the required changes but leaving open the specifics that will require teacher and Council of Delegates approval, b) provides teachers with an APPR appeals process to challenge a rating of ineffective. The ultimate disposition of the teacher's APPR challenge would not be made by the District but by a neutral agreed to by the BTF and District.

NOTE: District was notified by BTF that there would be no detailed APPR recommendation to teachers that did not have student absenteeism as a factor.

**1/13/2012
to
1/26/2012**

BTF and the District meet to develop a comprehensive APPR that they believe will be approved by Commissioner King/SED. District finally agrees to incorporate student absenteeism in the Glossary of the APPR that was currently in place.

1/27/2012

MOU signed contingent on Teacher/Council of Delegates approval

NOTE: BTF was informed that Rochester, Syracuse and Albany would be submitting MOUs with absenteeism as a factor. They later withdrew their absenteeism section because of SED's objections. BTF team refuses to remove ours.

Proposed MOU emailed to all teachers for a vote at the Council of Delegates meeting.

2/09/2012

Council of Delegates approves APPR MOU that was emailed to teachers.

2/22/2012

Commissioner King/SED reinstates funding to 5 Districts. Buffalo not one of them. None of the 5 insisted on student absenteeism as a factor.

2/29/2012

Superintendent visits BTF office, states Commissioner/SED will not approve APPR MOU with an absenteeism provision. Requests BTF to remove it. BTF team refuses but says it will put it to a vote of the

teachers and Council of Delegates.

- 3/05/2012** BTF Emails notice to all teachers. Asks whether absenteeism be removed from APPR.
- 3/07/2012** Council supports leadership – votes unanimously that the absenteeism section not be removed from the APPR.
- 3/12/2012** Superintendent Dixon advises me that our concerns relating to student absenteeism have been heard by NYSED and that the District will be submitting a new MOU that takes student absenteeism into account.
- 3/12/2012** Commissioner King seems to relent – BTF can include student absenteeism in locally developed measures as long as they are “rigorous, transparent and equitable”, (whatever that means).
- 3/14/2012** I fax Commissioner King a strongly worded letter asking for clarification as to what is meant by the above. [No response is received until a later March 30, 2012 letter blasts him and SED (see BTF website for both letters, www.btfny.org, News and Alerts 04/06/12 - Important Memos, Letters, and Articles previously sent via e-mail)]
- 3/16/2012** District proposes new APPR MOU – with absenteeism provision – BTF rejects as not sufficient for all schools.
- 3/19/2012** District makes minor modifications to APPR – At 4:30 District learns SED hearing scheduled for March 22, 2012 adjourned to March 29, 2012.
- 3/22/2012** Regularly scheduled Council of Delegates meeting – Discussion of possible counter proposal to District.
- 3/23/2012**
Friday!!
11:00 a.m.!! - District sends new MOU to BTF.
Note: Commissioner King/SED has set 4 p.m. on this date as the deadline for any new District submission.
3:30 p.m. – District agrees to BTF concerns and that absenteeism language, although to be held in abeyance for 2011-2012, will be in full force for all schools beginning in 2012.
3:45 p.m. – BTF signs MOU contingent upon Teacher and Council of Delegate approval.
5:00 p.m. – Email immediately drafted to all teachers explaining MOU with a copy included. Teachers asked to vote. Special Emergency Executive Committee and Council of Delegates meeting set for Tuesday, March 27, 2012.
Note: District is to appear at SED hearing to defend its actions on March 29, 2012.
- 3/27/2012**
Tuesday
4:00 p.m. – District advises BTF that Commissioner King/SED has rejected the latest submission.
BTF Executive Committee meets – expresses frustration and anger at what is felt as the Commissioner’s and SED’s incompetence and the constant new hurdles placed before us – No action required – No MOU to consider.
Council of Delegates meets – also expresses anger and frustration – no action taken or required on MOU – No MOU to consider.
- 3/28/2012** SED/District hearing scheduled for March 29, 2012, adjourned and apparently tentatively scheduled for the week of April 4, 2012. No hearing was held.
- 3/28/2012** 4:47 p.m. – BTF receives revised MOU based upon changes suggested by SED.
- 3/30/2012** I send letter to Commissioner King and Board of Regents, expressing our anger and frustration with actions perceived as the Commissioner/SED’s “guess what’s behind my back/what new hurdles can we put before Buffalo’s teachers and the School District?”.
I send a copy of the above letter to Superintendent Dixon advising her that although the District and BTF have worked cooperatively attempting to overcome all the obstacles placed before us, in my opinion, the water has been so poisoned by the Commissioner that I doubted any new MOU would be greeted positively by Buffalo teachers and that the BTF would proceed with legal action.
Some have expressed anger with me relating to the short notice given to you to review documents. I hope you can see from the above, especially the Friday, March 23, 2012 submission to you that was received by the BTF at 11:00 a.m., finalized at 3:45 p.m. to meet the Commissioner/SED’s 4:00 p.m.

deadline and immediately emailed to you so that we could vote before the Districts' March 29, 2012 hearing date, that BTF is not the reason for the short notices but rather has worked tirelessly to provide you with the latest information we have.

We have worked cooperatively with the District exchanging dozens of revisions only to have new hurdles put before us (and the District) by the Commissioner. We have exchanged dozens of possible MOUs with the District.

The APPR/MOU is for six schools for this year only and does not bind the BTF or District in our future discussions for an APPR that by law must be in place for all teachers in the 2012-2013 school year; however, we will continue to leave no stone unturned on your behalf and do all in our power to ensure that you make the decisions that affect your evaluation. It might have been easier to just either say yes or no to the proposed MOUs instead risking your anger by providing you with information we received on short notice with a short SED turnaround time; however, that is not the way that the BTF operates, nor should we.

NEW UPDATE – AFTER THIS PRESIDENTS REPORT WAS WRITTEN UPON RETURN FROM SPRING BREAK ON APRIL 16, 2012, WE RECEIVED TWO COMMUNICATIONS DATED APRIL 5, 2012.

PLEASE DON'T KILL THE MESSENGER!!

- Letter dated April 5, 2012 (received after the Spring break on April 16, 2012) from Anita Murphy, representative of Commissioner King responding to my strongly worded March 30, 2012 letter to the Commissioner blasting the constantly moving targets and lack of clarity as to what is required.

Note: Still no answer to my March 14, 2012 letter.

The letter includes a letter to Superintendent Dixon stating that if certain changes were made to the last APPR/SIG submission and no others made, i.e. they "are identical to your March 27, 2012 informal submission and include only the revisions described above, it **appears** that such submissions would address all aspects noted as insufficient in Commissioner King's March 27, 2012 letter (emphasis added). **Please be advised that making any revisions to your MOUs other than those described in this letter could result in your submission being deemed unacceptable."**

Two changes are minor; however, the District's informal submission that was meant to correct the rejected March 23, 2012 submission contained a scoring chart that we do not agree with and that was not part of the MOU sent to you. The District was notified of our concerns on April 3, 2012.

- Letter dated April 5, 2012 from Superintendent Dixon (received after the Spring break on April 16, 2012), asking that I sign an attached revised MOU. (see BTF website, www.btfny.org, 4/06/12 - Important Memos, Letters, and Articles previously sent via e-mail) The Superintendent's letter includes the Anita Murphy letter to her. While the newly revised MOU removes unacceptable NYSED inserted language, it still contains a scoring grid for High Schools that is unacceptable as it is a step backwards from the MOU sent to you that was rejected by NYSED.

Note: The letter from Anita Murphy states "it appears that such submissions would address all aspects noted as insufficient in Commissioner King's March 27, 2012 letter." (Emphasis added) There is still no guarantee that even if approved by BTF he would approve the grant.

Where we are now is that the Council of Delegates at its April 19, 2012 meeting will decide, based upon your input, as to whether if the MOU scoring grid is changed so that isn't a step backward on the High School scoring grid, and provided you were given a sufficient time (at least a week) you want to analyze it and vote in the buildings.

As the MOU stands now, it is unacceptable.

Why am I even posting it for your information? As you have heard me say many times, my responsibility is to keep you completely informed – especially on issues such as these. You are teachers. You don't need someone deciding what you should or shouldn't see.

Thank you as always for your continued support and solidarity in these difficult times, it is important that we remain unified.