

President PHILIP RUMORE



BUFFALO TEACHERS  
FEDERATION, INC

271 PORTER AVENUE  
BUFFALO, N.Y. 14201  
(716) 881-5400  
FAX (716) 881-6678

May 10, 2013

MEMO TO: All Buffalo Teachers  
FROM: Philip Rumore, President, BTF  
RE: APPR Offensive

Enclosed is a copy of the resolution I recommended to the Executive Committee and passed unanimously. It was cleared by our attorneys.

As per my memo to you stating that you will be asked to vote on the actions we will be taking, please schedule a vote in your building to either support or not support the resolution.

The Council of Delegates will vote on the motion on Thursday May 30, 2013.

Let's send a strong message that we are united and strong.

PR:su

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WHEREAS: As a result of an untested, untried evaluation system (APPR), Buffalo teachers, as well as teachers across New York State, received APPR composite ratings that not only put teachers' job security in jeopardy but reflected negatively on teachers' true performance and,

WHEREAS: In one Buffalo school, for example, as in many similar cases across New York State, eleven (11) teachers were rated as "Effective" on all twenty-two (22) "indicators" on their classroom evaluation; however, their overall "composite score" was "Ineffective", and one teacher was rated "Effective" on twenty (20) of the twenty two (22) "indicators" and "Highly Effective" on the two (2) remaining classroom observation indicators but received an

“Ineffective” rating. In some cases, the State forwarded zero (0) points out of twenty (20) for teachers where there were two (2) teachers working with the same students so that only one received the twenty (20) points and,

WHEREAS: Buffalo teachers and the school district, as with many school districts across New York State, in anticipation of the probability of such invalid results from the new, untested and untried evaluation system (APPR), entered into agreements (MOUs) that protected teachers from the inappropriate negative consequences of said APPRs and,

WHEREAS: Buffalo teachers and teachers across New York State would not have entered into agreements utilizing untested, untried evaluation systems without assurances that due to its untested procedures, it would not be used against them and,

WHEREAS: there has been

1. the late approval of and lack of guidance on contradictory positions taken by NYSED in relation to the APPR,
2. lack of sufficient training by the District on the APPR process,
3. impossible timelines, e.g. teachers “trained” in May for submissions due at the end of May, “training” in May on Artifacts due at the end of May,
4. confusing and contradictory statements by District administrators,
5. insufficient time provided to complete APPRs, SLOs and LMAs during the work day,
6. little or no training on SLOs, LMAs and Artifacts,
7. pre-tests given in October, November, etc., instead of September,
8. post-tests having no correlation with pre-tests,
9. some post-tests given after the completion of first semester courses,
10. teachers being evaluated, and observed without an agreement between BTF and District, on what they will be evaluated,
11. requiring the use of PGS without training,
12. expecting teachers (some not affected by 3012-c) to turnkey train other teachers in their buildings.

THEREFORE BE IT RESOLVED: That the BTF, in concert with NYSUT/AFT/NEA will:

1. Pursue legal action to ensure that as per our signed MOU, no teacher is adversely impacted by their 2011-2012 or 2012-2013 APPRs or any process or procedure associated with it, specifically including but not limited to, the service of a notice of claim as necessary for the commencement of legal action under New York State Education Law as soon as feasible but in any event, no later than June 1, 2013 and, additionally, the filing of grievance(s) pursuant to the collective bargaining agreement, in addition, if necessary to the following grievances already filed relating to:
  1. non-adherence to January 15, 2013 MOU,
  2. non-validated and untimely pre and post tests – also no training during the work day for teachers on them,
  3. inaccurate APPR scores (2011-2012) based upon flawed system – administrators inadequately trained,

4. SLOs/LMAs/Artifacts – little or no timely training, insufficient and untimely data, insufficient and inappropriate timing for completion, etc.,
5. contradictory APPR directions to teachers,
6. insufficient time during the workday to complete the tasks that the District is demanding of teachers,
7. teachers are being evaluated without BTF, District and Professional Council Agreement.
2. Pursue all legal actions to prevent the loss of funding resulting from the APPR process and/or procedures,
3. If necessary, the BTF in consultation with NYSUT/AFT/NEA will consider rescinding, by vote of all Buffalo teachers, its approval of the 2011-2012, 2012-2013 APPRs, and
4. Take any and all other actions to achieve the above objectives.

MOVED: Edith LeWin, Vice President, BTF

SECOND: Barbara Bielecki, Treasurer, BTF