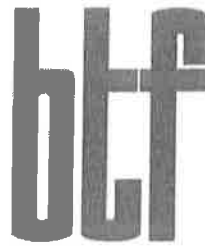


President PHILIP RUMORE



November 6, 2020

BUFFALO TEACHERS  
FEDERATION, INC.

MEMO TO: Dr. Kriner Cash, Superintendent, BPS  
Members, Buffalo Board of Education  
Faculty at Emerson School of Hospitality, PS #302

FROM: Philip Rumore, President, BTF 

RE: Teacher Reported COVID-19 Positive

271 PORTER AVENUE  
BUFFALO, N.Y. 14201  
(716) 881-5400  
FAX (716) 881-6578

Once again, teachers and staff are very upset and concerned, since they were not advised that a member of the staff has tested positive for the COVID-19 virus.

This, as we stated in our previous October 1<sup>st</sup> and 26<sup>th</sup> 2020, correspondence to you, serves to cause great concern and undermines trust.

The District can, while protecting privacy, advise the staff, that while a staff member has tested positive for the COVID-19 virus, all the following procedures have been followed to ensure your safety.

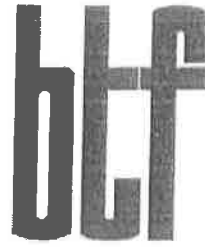
Otherwise, it appears to some as a cover-up.

Please advise us of the procedures that will be followed to provide transparency and trust.

Enclosed, please find a copy of the report that is on the New York State website.

PR:su

President PHILIP RUMORE



October 26, 2020

BUFFALO TEACHERS  
FEDERATION, INC.

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

MEMO TO: Dr. Kriner Cash, Superintendent, BPS  
Nathaniel Kuzma, General Counsel, BPS  
Members, Buffalo Board of Education

FROM: Philip Rumore, President, BTF

RE: A New Low in District Truthfulness

At a time when we are all working to ensure that our schools are safe for our staff and community now and our students (and parents) when they return, the District is unconscionably making false statements, thereby undermining trust.

Enclosed, please find a copy of an email sent to me on October 9, 2020 in response to my October 1, 2020 correspondence to you and the Board of Education, in which we express concerns relating to COVID-19 reporting procedures at Schools 45 and 33 (Enclosed).

Instead of responding that the District will seek to correct/improve the protocols to provide transparency and trust within privacy requirements, we received correspondence that contains false statements attributed to our Labor Relations Specialists assigned to the schools (See our underlining).

We have enclosed the October 23, 2020 correspondence from Matthew J. Kibler, the Labor Relations Specialist assigned to School 33 and Robert Mueller, the Labor Relations Specialist assigned to School 45 in which they state "Mr. Kuzma's statement that we were 'aware and satisfied about the situations' that transpired in these buildings. That claim is completely false."

In addition to our concern that the occurrence at School 33 was mishandled, as we stated, in an effort to work with you in the interest of openness, safety and trust, we state, "Whether required or not, it would seem that, in conformance with privacy requirements, the staff could have been notified that there was a staff member who might have been in contact with a person possibly infected, instead of having to go to the New York State Dashboard. Staff probably could have been assured that all procedures and protocols had been followed to ensure their safety. They could have been advised that, while you can not give specifics, in the interests of openness and transparency, you are advising them that their safety is your number one priority."

Your modus operandi has apparently become, cover up issues by making false statements... this, at a time when lives and great physical and mental harm are at issue.

In anticipation of a denial by the District and lack of corrective actions we will be initiating legal action to provide an opportunity for testimony by Mr. Kuzina, Mr. Kibler and Mr. Mueller, under oath, to determine who is/is not making false statements.

PR:su

Enclosure:      October 9, 2020 Correspondence  
                         October 1, 2020 Correspondence  
                         October 23, 2020 Correspondence

cc:      Darren Brown-Hall, Chief of Staff, BPS  
            Jamie Warren, Associate Superintendent of Human Resources



**BUFFALO PUBLIC SCHOOLS**  
**Office of Legal Counsel and Labor Relations**

65 Niagara Square Room, 717 City Hall  
Buffalo, New York 14202  
Phone (716) 816-3742  
Fax (716) 851-3030

**Nathaniel J. Kuzma**  
**General Counsel**

**VIA EMAIL**

October 9, 2020

Philip Rumore, President  
Buffalo Teachers Federation  
271 Porter Avenue  
Buffalo, New York 14201

Dear President Rumore:

The District is receipt of your correspondence dated October 1, 2020 regarding the potential exposure of an employee to Covid-19 at Schools 33 and 45. I am writing to inform you that the attached protocols issued by the New York State Department of Health were followed in each instance. To protect the privacy of the employee, we will not release further information to you. However, I understand the labor relations specialists from each building were aware of the situations and satisfied it was handled in accordance with the guidance. If you have further questions, please contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "N. Kuzma", written over the word "Respectfully,".

Nathaniel Kuzma

Copy: Dr. Kriner Cush  
Darren Brown  
Jamie Warren

Enclosure



Buffalo Teachers Federation, Inc.  
271 Porter Avenue  
Buffalo, New York 14201  
(716) 881-5400  
www.btfny.org

President, PHILIP RUMORE

October 1, 2020

MEMO TO: Dr. Kriner Cash, Superintendent, BPS  
Members, Buffalo Board of Education

FROM: Philip Rumore, President, BTF

RE: Safety/Health Concerns

There are two recent safety issues that I wanted to bring to your attention.

- According to teachers at School #45, one of the teachers assigned to the school advised the principal that she thought she had been exposed to the COVID-19 virus over a weekend. She then remained at home.

The principal, following District protocol, advised Human Resources.

Apparently, according to your protocols, no one at the school was notified of the occurrence. They found out via the New York State Dashboard.

Whether required or not, it would seem that, in conformance with privacy requirements, the staff could have been notified that there was a staff member who might have been in contact with a person possibly infected, instead of having to go to the New York State Dashboard. Staff probably could have been assured that all procedures and protocols have been followed to ensure their safety. They could have been advised that, while you cannot give specifics, in the interests of openness and transparency, you are advising them and that their safety is your number one priority.

- Teachers at School #33 are hearing that a teacher at the school who believed that she might have been exposed to the COVID-19 virus and reported same to the principal, was told by the principal she could report to work and she should not advise anyone of her possible exposure.

The teachers who are directly involved, out of fear of reprisal, are hesitant to discuss the incident. However, others in the building have called BTF and are aware of it.

We have been informed that only now are both teachers at home.

We would appreciate a response to this correspondence.

PR:su



New York State United Teachers • Affiliated with • AFT • NEA • AFL-CIO  
www.nysut.org

**Andrew Pallotta**  
President  
**Jolene T. DiBrango**  
Executive Vice President  
**Ronald Gross**  
Second Vice President  
**J. Philippe Abraham**  
Secretary-Treasurer

October 23, 2020

Philip Rumore  
President  
Buffalo Teachers Federation  
271 Porter Ave.  
Buffalo, New York 14201

Re: October 9, 2020 Correspondence from Mr. Kuzma

Dear Mr. Rumore:

Please allow the following to serve as a response to Mr. Kuzma's October 9, 2020 correspondence to you, copying Dr. Cash, Ms. Warren, and Mr. Brown.

This response is submitted on behalf of Robert Mueller and Matthew Kibler, the Labor Relations Specialists at schools 45 and 33, respectively.

At the outset, we take significant issue with Mr. Kuzma's statement that we were "aware and satisfied about the situations" that transpired in these buildings. That claim is completely false. Neither of us spoke directly with Mr. Kuzma or any building administrator about this situation. We are not aware of any physical harm coming from the District's misguided policies.

In these buildings, building administration was notified of potential COVID exposure. The District provided little to no guidance on how to proceed with these situations, putting every single person in those buildings at a potential and unnecessary risk. In a completely remote environment for both teachers and students, there is no overriding reason for teachers to be in buildings after a potential COVID exposure. It is a very serious health and safety risk that protocols were and are not in place to allow any teacher to work remotely for the appropriate two week timeframe after a potential exposure.

While guidance exists that is meant for situations when schools are open for in person learning, simple common sense would dictate these teachers should be able to work remotely, following evidence of COVID exposure.

Very truly yours,

  
Matthew Kibler

  
Robert Mueller

**Western New York Regional Offices**

Centerpointe Corporate Park  
270 Essjay Road  
Williamsville, NY 14221-8276  
Phone: (716) 634-7132  
Fax: (716) 634-4731

1 West Oak Hill Road  
Jamestown, NY 14701  
Phone: (716) 664-7425  
Fax: (716) 487-1727

271 Porter Avenue,  
Buffalo, NY 14201-1052  
Phone: (716) 881-5400  
Fax: (716) 881-6678

**Information on Novel  
Coronavirus**

Coronavirus is still active in New York. We have to be smart. Wear a mask, maintain six feet distance in public and download the official New York State exposure notification app, COVID Alert NY.  
GET THE FACTS >

**COVID-19 Report Card**

Report Card Information  
 11/05/2020  
 716-816-3018  
 dwstokes@buffaloschools.org

Date of Submission: 11/05/2020  
 Date of Publication: 11/06/2020

**COVID-19 Report Card**  
**Emerson School Of Hospitality**

Principal Name: Ms. Debbie White-Stokes  
 Phone: 716-816-3018 Email: dwstokes@buffaloschools.org

County: ERIE SED Grade: Senior High  
 Phone: 716-816-3018  
 70 W Chippewa St, Buffalo, NY, 14202

COVID-19 positive data reported below includes students, teachers and staff enrolled in the school district on-site and off-site. This information is either shared by the parent/guardian of the student, notified by teachers, and staff, or communicated by the local health department as part of the contact tracing effort.

Teaching Model: Remote Only	Total On-site Students Enrolled + Teachers/Staff	Total Off-site Students Enrolled + Teachers/Staff
No students receive instruction in-person.	10	507

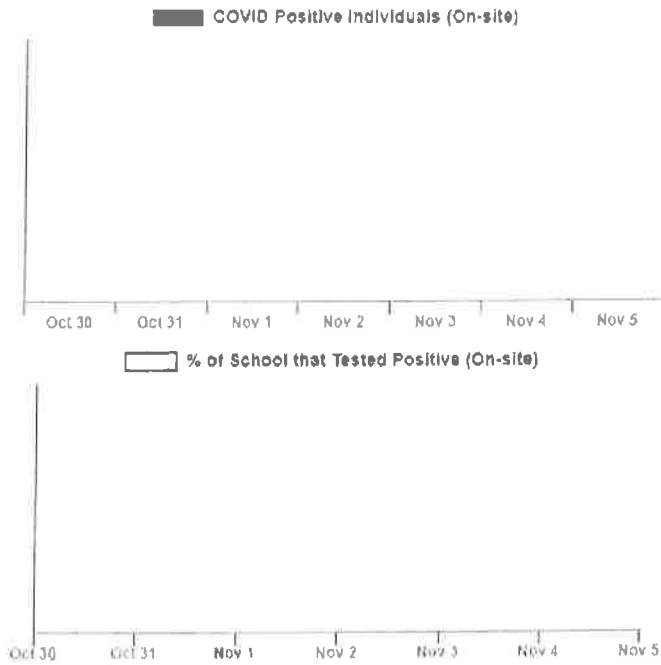
**School Reported COVID Data**  
 (Reported On 11/05/20)

Total Positives from all Reported Testing				
	Total (Since 09/08)	Last 14 Days (From 10/23 - 11/05)	Last 7 Days (From 10/30 - 11/05)	New Positive on 11/05/20
Students	0	0	0	0
Teacher/Staff	1	1	1	0

**COVID Testing and Results Data**

	Total Positives On-site	Total Positives Off-site	Total Positives On-site/Off-site
Total School	0	1	1
Students	0	0	0
Teachers	0	1	1
Staff (Excluding Teachers)	0	0	0

## Seven Day On-site Trend



### Enrollment and Employment Data

	Total	On-Site	Off-Site
<b>Number of Students</b>	450	0	450
<b>Number of Teachers</b>	51	5	46
<b>Number of Staff (Excluding Teachers)</b>	16	5	11

*Enrollment and Employment data are estimated number of on-site/off-site students, teachers and staff provided by the school districts and may not reflect the actual attendance.*

### School Administered Testing Summary

Date of School Administered Testing	Total School Administered Tests	Lab Name	Type of Testing	Average Lab Results Turnaround Time
-	-	-	-	-

*School administered testing data includes any test of students or staff who became ill with symptoms of COVID-19 at school or any large-scale testing conducted at the school in coordination with the local health department.*

## New York Forward

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**Novel Coronavirus**